

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17654 of 2017

Arising Out of PS.Case No. -365 Year- 2016 Thana -FATEHPUR District- GAYA

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Sitaram Rajbanshi, son of late Jaggu Rajbanshi, resident of Village- Birna,
P.S. - Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Fatehpur P.S.Case No. 365 of 2016 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code and
30(a) of Bihar Excise and Prohibition Act, 2016.

Allegation as per FIR is of recovery of 80 litres
country made liquor from the house of the petitioner.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case and that will
appear from the seizure list as there is no compliance of Section
100 Cr.P.C. and furthermore petitioner has clean antecedent and
remained in custody for about four months.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-X, Gaya, in connection with Fatehpur P.S.Case No. 365 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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