

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19579 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Nawin Kumar @ Nawin Kumar Mandal, Son of Ram Prasad Mandal,
Resident of Village- Bhag Kohalia, Ward No. 02, P.s. Forbesganj, Dist.-
Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Dr. Rabindra Kumar Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Forbesganj P.S.Case No.70 of 2017, registered for offences punishable under Sections 30 of Bihar Excise Act.

Allegation against the petitioner is that two persons were person going on road with a gunny bag but seeing the police, they fled away and from that gunny bag, 48 ltrs. of nepali wine have been recovered.

It is submitted on behalf of the petitioner that the seizure list itself shows that there is no recovery either from the possession of the petitioner or from his house. The petitioner has clean antecedent and remained in custody for about two months.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Araria in connection with Forbesganj P.S.Case No.70 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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