

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6357 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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Ramesh Kumar Swarnkar Son of Late Bindeshwari Swarnkar, Resident of
Village- Baijnathpur, Police Station Saurbajar (Baijnathpur O.P.), District
Saharsa. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Saurbazar
(Baijnathpur O.P.) P.S. Case No. 348 of 2016 registered for the
offences punishable under Sections 272, 273/34 of the Indian
Penal Code and Sections 47(a), 53 (c) of the Bihar Excise
(Amendment) Act, 2016.

Allegedly, 291.48 liter of foreign liquor was recovered from
while colour Safari vehicle bearing Registration No. BR01PB-
2411 which was parked in the back premises of the house of the
petitioner and further from the dickey Photostat copy of driving
license in the name of the petitioner was recovered.

Submission is of false implication and that the petitioner is
suffering in custody since 02.12.2016, chargesheet has already



been submitted and there is no chance of tampering with the prosecution evidence. The petitioner has voluntarily surrendered and since then he is in custody.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saurbazar (Baijnathpur O.P.) P.S. Case No. 348 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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