

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23088 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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Rupesh Patel, son of Raja Ram Patel, Resident of Village- Raghunathpur,
P.S. Goushala, District- Mahotri (Nepal).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Bajpatti P.S.Case No. 77 of 2017 registered for the offences
punishable under Section 30(A) of Bihar Excise Act.

Allegation against the petitioner is that he used to sell
liquor and there is recovery of 9.5 litres of Nepali wine from one
Subodh Patel.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case and he is in
custody for two months having no criminal antecedent. It has
further been submitted that co-accused having similar allegation
has been granted bail by this Court in Cr.Misc.No. 20402 of 2017,
vide order dated 8.5.2017.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, 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 Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Bajpatti P.S.Case No. 77 of 2017, 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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