

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28883 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Rahul Kumar @ Pumpum Son of Kanhaiya Sah @ Kanhaiya Prasad,
Resident of Mohall/Village- Nasariganj Mangal Bazar, Ward No. 5, P.S.-
Nasariganj, District- Rohatas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.05.2017 in connection with Nasariganj P.S. Case No. 83/2017
for offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information the petitioner was
apprehended and from his possession 10 litres of country-made
wine was recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. He further submits that nothing has been recovered



from his conscious possession as per the seizure-list.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two more cases of similar nature are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Rohtas at Sasaram, in connection with Nasariganj P.S. Case No. 83/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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