

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.250 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Brijlal Mukhiya S/o Asarfi Mukhiya R/o Village- Bakahi, P.S.-Yogapatti,
Dist-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-01-2017 The petitioner is in custody since 5.11.2016 in connection with Sri Nagar (Pujaha) P.S. Case No. 60 of 2016, registered for offences punishable under Section 47, 50(c) 57 of the Bihar Excise amendment Act.

It has been submitted on behalf of the petitioner that 16 litres 400 ml foreign liquor was recovered from each of the accused persons but the seizure list shows that there is no signature on the seizure list which clearly shows the violation of section 100 (5) of Cr.P.C and further more he remained in custody for about two months. It has further been submitted that the petitioner has clean antecedent.

Heard learned A.P.P. also.

Having heard the learned counsel for both side and after considering the aforesaid submissions, let the petitioner above



named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri S.M.Afajal, learned Judicial Magistrate 1st Class, Bettiah, West Champaran, in connection with Sri Nagar (Pujaha) P.S.Case No. 60 of 2016, with following conditions:-

- (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 reasons, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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