

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44594 of 2017

Arising Out of PS.Case No. -164 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Mithun Kumar Son of Maleshwari singh Resident of village- Ghuski Tola
(Kishanpur), P.S.- Sahkund, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Sahkund P.S.Case No.164 of 2017 registered for offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Allegation against the petitioner is about recovery of
19 bottles of 180 ml. of liquor.

Submission of the learned counsel for the petitioner is
that nothing has been recovered from the house of the petitioner
rather from the *Gohal* of the petitioner. There is no compliance of
Section 100 of Cr.P.C. The petitioner has remained in custody for
since 23.7.2017.

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/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Excise, Bhagalpur in connection with Sahkund P.S.Case No.164 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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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