

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49428 of 2017

Arising Out of PS.Case No. -68 Year- 217 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Bhardul Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017

Heard the parties.

The petitioner seeks regular bail in connection with Kundwa Chainpur P.S.Case No. 68/2017, G.R. No. 566 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code as well as 30)a), 37 (a) of Bihar Excise Amendment Act, 2016.

The allegation against the petitioner is of recovery of 90 bottles of Nepali wine Saufi (Relax) each containing 300 ml.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated



and there is no criminal antecedent and he is in custody since five months.

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 released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- VII-Cum- Special Judge, Excise, East Champaran, Motihari in connection with Kundwa Chainpur P.S.Case No. 566 of 2017, subject to the conditions that 1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



With the aforesaid observation, this application
is allowed.

(Vinod Kumar Sinha, J)

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