

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40004 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Munna Ali Son of Nijamuddin resident of Village Bhatwalia, P.O. Tamduhiraj, P.S. Tomasujan, District Kushinagar, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-08-2017

Heard the parties.

The petitioner seeks regular bail in connection with Durgawati P.S.Case No.73 of 2017 Excise Case No.641 of 2017 , registered for offences punishable under Sections 419, 420, 467, 468, 471, 476, 488 and 120B of the Indian Penal Code.

Allegation against the petitioner as per FIR is of recovery of liquor from the Truck. Further allegation is that the truck owner has used the account number of the petitioner in getting the said truck released in this case.

Submission of the learned counsel for the petitioner is that the petitioner is no way connected with this case and at best the allegation is only of use of his account number for that he is in custody for about 1 ½ years.



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 Judge Excise –cum-A.D.J. VI, Kaimur at Bhabhua in connection with Durgawati P.S.Case No.73 of 2017 (Excise Case No.641 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 disposal of trial and make himself available as and when required by the court. In 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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