

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8972 of 2017

Arising Out of PS. Case No. -120 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
LAKHISARAI

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Nago Kewat son of late Indal Kewat resident of village Gangta, P.S.
Lakhisarai, District Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 47(A), (F) of the Excise Act registered in connection with Lakhisarai Government Case No. 120C/2013.

3. It is submitted that the petitioner has been falsely implicated as recovery of 20 litres of *Mahua* wine and 120 Kg. *Mahua* flower has been made from near the pond and not from his conscious possession. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Government Case No. 120C/2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also



subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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