

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13935 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Afsar Hussain, son of Ali Hussain, resident of Mohalla- SVB Patel Road,
Choti Masjid, Police Station- Kharda Titagarh, Police Station- North
Pargana, West Bengal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Chandi P.S.Case No. 295 of 2016 registered for the offences
punishable under Sections 420, 120B of the Indian Penal Code and
30(A), 38 and 41 of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

According to learned counsel for the petitioner,
allegation against the petitioner is that he was arrested at the spot
when a truck loaded with liquor was unloaded by some persons
and he was simply sitting in the truck and he is in custody since
15.10.2016 being a labourer having no criminal antecedent. It has
further been submitted that co-accused have been granted bail by
this Court in Cr.Misc.Nos. 4581, 7226 and 8664, all of 2017, vide
order dated 9.3.2017.



Heard learned APP also.

Having heard both sides and in the facts and circumstances of the case, let the petitioner, above named, be released 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 the Chief Judicial Magistrate, Hilsa (Nalanda), in connection with Chandi P.S.Case No. 295 of 2016, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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