

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10501 of 2017

Arising Out of PS.Case No. -711 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Gunjan Kumar Sah @ Gunjan Sah, aon of Gopal Prasad Sah, resident of
village - Patarghat, P.S. Sour Bazar, District - Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Madhepura (Bharrahi O.P.) P.S.Case No. 711 of 2016 registered
for the offences punishable under Sections 279 of the Indian Penal
Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that
petitioner has not been arrested at the spot and nothing has been
recovered from the possession of the petitioner and it is alleged
that 124 litres of foreign liquor has been recovered from the
vehicle and he has remained in custody for more than four months.

Heard learned APP also.

Having heard both sides and in view of the period of
custody and not arrested at the spot, 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, Madhepura, in connection with Madhepura (Bharrahi O.P.) P.S.Case No. 711 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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