

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21942 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -SANHOLA District- BHAGALPUR

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1. Muneshwar Ram Son of Jogi Ram Resident of Village- Chakram
Narainpur, P.S. Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sanhaulla P.S.Case No.148 of 2016, registered for offences punishable under Sections 30/37(b) of Bihar Excise Amendment Act, 2016.

Allegation as per F.I.R. is about recovery of 91 ltrs. of foreign liquor from the Vehicle and the allegation is that the petitioner is owner of the said Vehicle.

It is submitted on behalf of the petitioner that even according to the F.I.R., nothing has been recovered from the conscious possession of the petitioner nor was he present at the time of occurrence though he is owner of the Vehicle and at the relevant time, he was in Hospital. Furthermore, he has clean



antecedent and remained in custody for about 2 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent and remained in custody for about 2 ½ months, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-V, Bhagalpur in connection with Sanhaulla P.S.Case no.148 of 2016.

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 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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