

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23570 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -TATARPUR District- BHAGALPUR

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Sagar Kumar @ Ganga Sagar Choudhary, son of Shyam Choudhary,
resident of Mohalla Sahebganj, P.S. Vishwavidyalaya, District Bhagalpur
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 18-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Tatarpur (Vishwavidyalaya) P.S.Case No. 60 of 2017 registered for the offences punishable under Sections 120B of the Indian Penal Code and 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation as per FIR is that one Safari vehicle was intercepted and from that 217 bottles of Royal Stag wine, each containing 375 ml. and 188 bottles of Imperial Blue wine, each containing 375 ml. have been recovered. Further allegation is that the wine had to be supplied to the petitioner and other accused persons.

It has been submitted on behalf of the petitioner that the vehicle belongs to one co-accused. It has further been submitted that petitioner is a student and has falsely been implicated in this case at the instance of police and nothing has been recovered from his possession and he is in custody for about one month.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, 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 Special Judge-cum-2nd Additional Sessions Judge, Bhagalpur, in connection with Tatarpur (Vishwavidyalaya) P.S.Case No. 60 of 2017, G.R.No. 1363 of 2017, 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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