

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22574 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -ARER District- MADHUBANI

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1. Kamod Sah, S/o Late Sahdeo Sah, resident of Village- Navtoli Dhakjari,
P.S. Arer, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Arer P.S.Case No.28 of 2017, registered for offences punishable under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016..

Allegation against the petitioner is about recovery of 46 bottles of A.C. Black premium each containing 180 Ml, 43 bottles of A.C. Gold Blended each containing 180 Ml, 42 bottles each containing 375 Ml and 60 bottles of Royal Stag each containing 375 Ml, altogether 48 ltrs. of foreign liquor from the house of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the house of the petitioner rather he has been



falsely implicated in this case. The petitioner is in custody for about two months.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent as well as he has remained in custody for about two 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 Sri Ajay Kumar-II, J.M. 1st class, Benipatti, Madhubani in connection with Arer P.S.Case No.28 of 2017.

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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