

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35100 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Rajiv Kumar Singh @ Rajiv Singh S/o Late Kedar Singh Resident of
Village- Chaita, P.S.- Pakridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-08-2017 The petitioner seeks regular bail in connection with

Pakridayal P.S.Case No.114 of 2016, registered for offences

punishable under Sections 272 and 273 of the Indian Penal Code

and Sections 47, 51, 52, 53 and 54 of the Bihar Prohibition and

Excise Act, 2016.

Allegation against the petitioner as per F.I.R. is that

huge quantity of liquor has been recovered from the Godown of

the Construction Company and the petitioner is said to be

contractor of the said construction company and the owner of the

Godown has already been granted anticipatory bail in this case.

Nothing has been recovered from the conscious possession of the

petitioner and he has been made accused on the basis of suspicion

only. The petitioner is in custody for two months. It has also been



submitted that the other co-accused persons have been granted bail, as stated in para 14 of the petition.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that nothing has been recovered from the possession of the petitioner, let the petitioner, above named, be enlarged 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 learned 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Pakridayal P.S.Case No.114 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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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