

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44742 of 2017**

Arising Out of PS.Case No. -42 Year- 2017 Thana -JAMALPUR RAIL P.S. District- LAKHISARAI  
=====

1. Pinku Kumar S/o Late Mahadeo Mahto, R/o Aunta, P.S.-Halhidha,  
District-Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra  
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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-09-2017      Heard the parties.

The petitioner seeks regular bail in connection with Jamalpur Rail P.S.Case No.42 of 2017 registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 137 of Railway Act.

Allegation against the petitioner is about recovery of 63 ltrs. of liquor.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case. The petitioner has no criminal antecedent and he has remained in custody for about three months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, 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 Additional District & Sessions Judge IIInd Special Judge, Excise, Lakhisarai in connection with Jamalpur Rail P.S.Case No.42 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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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