

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47217 of 2017

Arising Out of PS.Case No. -327 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Akash Kumar Son of Late Ram Sah, R/o Mohalla- Kabaiya Road, Ward No.26, Naya Bazar, P.S.- Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017

Heard the parties.

The petitioner seeks regular bail in connection with Lakhisarai P.S.Case no.327 of 2017 registered for offences punishable under Sections 30(a)/32(c)/38(b) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 11 ltrs. of country-made 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 1 ½ 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 Addl. Sessions Judge-II-cum-Special Judge Excise, Lakhisarai in connection with Lakhisarai P.S.Case No.327 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.
- (iv) If his active participation is found in such type of cases in future, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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