

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44739 of 2017

Arising Out of PS.Case No. -244 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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1. JAGARNATH PRASAD @ JAGARNATH CHAUDHARY @ JAGANNATH PRASAD, S/o Late Sitaram Chaudhary, Resident of Village- Dariya Chhapra, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Mustaque Alam

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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 Motipur P.S.Case No.244 of 2017 registered for offences punishable under Sections 30(a)/37(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 35ltrs. of foreign liquor kept under the soil.

Submission of the learned counsel for the petitioner is that noting has been recovered from his house or from his possession. The petitioner has no criminal antecedent and he has remained in custody since 20.7.2017.

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 Special Judge, Excise, Muzaffarpur in connection with Motipur P.S.Case No.244 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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