

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41506 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -BARGANIA District- SITAMARHI

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1. Vishambhar Raut Son of Late Ram Surat Raut Resident of Village -
Bhatauliya, P.S. - Bairaganiya, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-09-2017 Heard the parties.

The petitioner seeks regular bail in Bairania P.S. Case No.134 of 2017 registered for the offence under Sections 272, 273 of I.P.C. and Sections 30(A) and 41 of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is of recovery of 162 liters of Nepali country made liquor from Tempo and the petitioner happens to be the owner of the tempo.

Submission of the learned counsel for the petitioner is that he was not present in the tempo and he has been made accused because he is the owner of the tempo and having no criminal antecedent languishing in jail custody for 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/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Sitamarhi, in Bairgania P.S. Case No. 134 0.of 2017 subject to the conditions that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In 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.

(Vinod Kumar Sinha, J)

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