

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53795 of 2017

Arising Out of PS.Case No. -417 Year- 2017 Thana -PHULWARI District- PATNA

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1. Suresh Das S/o Late Krishna Das, Resident of Village-Khajuri, P.s.-
Naubatpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Phulwarisharif (Janipur) P.S.Case no.417 of 2017 registered for offences punishable under Sections 30(a)(B)(C)/38 (1)/41(i) of Bihar Liquor Prohibition and Excise Act, 2016.

Allegation against the petitioner a per FIR is about recovery of 432 ltrs. of liquor and he was working as assistant in the occurrence.

Submission of the learned counsel for the petitioner is nothing has been recovered from his possession. He is in custody for about four months. He has no criminal antecedent.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Patna in connection with Special Case No.3486 of 2017 arising out of Phulwarisharif P.S.Case no.417 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 in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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