

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49050 of 2017

Arising Out of PS.Case No. -179 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Mochan Das Son of Late Bahadur Das, resident of Village- Chakhabib,
Tole- Usraha, Police Station- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Bibhutipur P.S.Case No.179 of 2017 registered for offences
punishable under Sections 272, 273 and 414 and Sections 38, 47
and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of
81 ltrs. of liquor from the motorcycle of the petitioner.

Submission of the learned counsel for the petitioner is
that the petitioner has been falsely implicated in this case and
nothing has been recovered from the conscious possession of the
petitioner. It has also been submitted that several persons have
been arrested from there and the petitioner has no criminal
antecedent. He is in custody for 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 Additional District and Sessions Judge II, Samastipur in connection with Bibhutipur P.S.Case No.179 of 2017 dated 22.8.2017.

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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