

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2917 of 2017

Arising Out of PS.Case No. -427 Year- 2016 Thana -AGAMKUAN District- PATNA

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1. Pramod Kumar, Son of Ram Lagan Mistri, Resident of Mohalla-Chhoti
Pahari, P.S.-Agamkuan, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 The petitioner is in custody since 08.12.2016 in connection with Agamkuan P.S. Case No. 427 of 2016, registered for offences punishable under Sections 30(a) and 27(b) of the Bihar Excise Act.

It has been submitted on behalf of the petitioner that though there is allegation of recovery of 43 litres of indian made foreign liquor, but the same was not recovered from the conscious possession of the petitioner as it is very much clear from the seizure list itself that the said recovery has been made from house of co-accused person and the petitioner has been in custody since 08.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that the alleged recovery has not been made from conscious possession of the petitioner rather from perusal of seizure list itself, it appears that the said recovery was made from other co-accused of this



case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Patna City, in connection with Agamkuan P.S. Case No. 427 of 2016, subject to the 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 shall cooperate 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 reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear that if the petitioner again found involved in any of the like offence, his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

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