

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2857 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -KANHAULI District- SITAMARHI

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Ratnesh Kumar, son of Surendra Sah, R/o Village - Rewasi (Dhanukhi),
P.S. - Riga, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Kanahauli P.S.Case No. 103 of 2016 registered for the offences punishable under Section 273 of the Indian Penal Code and Section 30(a) of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that it is alleged that 13 litres of Nepali wine has been recovered from the possession of the petitioner and for which he is in custody for four months and he has clean antecedent.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and considering the fact that petitioner has clean antecedent and has remained in custody for



four months, let the petitioner, above named, be released 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 the Chief Judicial Magistrate, Sitamarhi, in connection with Kanahauli P.S.Case No. 103 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) 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 reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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