

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2587 of 2017**

Arising Out of PS.Case No. -205 Year- 2016 Thana -RAJAULI District- NAWADA

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Sagar Kumar @ Guddu, son of Late Nandu Saw, resident of village -  
Joradih More, Police Station - Chausa, District - Bokaro (Jharkhand).

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

2      14-02-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Rajauli P.S.  
Case No. 205 of 2016 registered for the offence punishable under  
Section 47 (a) of Bihar Excise (Amendment) Act, 2016.

Allegedly, from Scorpio vehicle of the petitioner which  
was being driven by the petitioner 356 bottles of foreign liquor  
total 189 liter was recovered. Similarly from other vehicles also  
illegal liquor was recovered.

Submission is of false implication and that the petitioner  
is a poor driver, he has got no knowledge about those articles, the  
person who has loaded those articles fled away and the petitioner  
has been made victim of circumstances, the petitioner is suffering  
in custody since 23.08.2016, other co-accused have already been



allowed bail and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Nawada in connection with Rajauli P.S. Case No. 205 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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