

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9886 of 2017**

Arising Out of PS.Case No. -81 Year- 2016 Thana -AMBA District- AURANGABAD

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Sudhir Kumar, son of Chandeshwari Ram, resident of village Simari, P.S.  
Amba, District Aurangabad

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      01-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with  
Amba P.S.Case No. 81 of 2016 registered for the offences  
punishable under Section 30(A) of Bihar Excise Act, 2016.

It has been submitted on behalf of the petitioner that  
there is allegation of recovery of 80 litres of foreign liquor but  
petitioner was not arrested at the spot and his name has transpired  
on the basis of statement made by co-accused Rakesh Kumar and  
petitioner is in custody for three months having clean antecedent.

Heard learned APP also.

Having heard both sides and considering the fact that  
name of the petitioner has transpired in the confessional statement  
of co-accused and he has clean antecedent and has remained in  
custody for three 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, Aurangabad, in connection with Amba P.S.Case No. 81 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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