

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19950 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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Firoz Khan @ Firoj Khan son of Mumtaj Ali Khan @ Mumtaj Khan
resident of Jhuggi No. - 79/97, Rani Jhansi Road near Ambedkar Bhawan,
Aram Bagh Paharganj, P.S. - Paharganj, District - Middle Delhi (Central
Delhi), Delhi - 110055.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Kanchan Jha with
Mr. Manish Kumar No 13, Advocates
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Samastipur G.R.P. P.S.Case No. 05 of 2017 registered for the
offences punishable under Section 37(a) of Bihar Excise
(Amendment) Act, 2016.

Allegation against the petitioner is of recovery of 21
bottles, each containing 375 ml., of foreign liquor.

It has been submitted on behalf of the petitioner that
there is no recovery from the possession of the petitioner and he is
in custody for more than three months having clean antecedent.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, 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 Additional Chief Judicial Magistrate (Rail), Samastipur, in connection with Samastipur G.R.P. P.S. Case No. 05 of 2017, 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 for cancellation of his bail.

(Vinod Kumar Sinha, J)

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