

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23082 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Chandan Kumar, S/o Sarvesh Rai, R/o Village- Amer at present R/o Nawanagar, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Bidupur P.S.Case No.79 of 2017 registered for offences punishable under Sections 30(a)/47 of Bihar Excise Amendment Act, 2016.

Allegation against the petitioner is about recovery of 43 ltrs. of country-made liquor and 17.280 ltrs. of foreign liquor, however, it is submitted on behalf of the petitioner that the petitioner has clean antecedent and the seizure list itself shows that nothing has been recovered from the house of the petitioner though it is alleged in the F.I.R. that from the house of the petitioner, the same has been recovered. The petitioner is in custody for more than 2 months.

Heard learned A.P.P. also.



Having heard both sides and in view of clean antecedent of the petitioner as well as the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-II, Vaishali at Hajipur in connection with Bidupur P.S.Case No.79 of 2017.

With 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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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