

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21972 of 2017

Arising Out of PS.Case No. -136 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Neeraj Kumar S/o Jamuna Singh resident of Village - Gafa Khurd, P.S. - Bodh Gaya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-06-2017 The petitioner seeks regular bail in connection with Barachatti (Mohanpur) P.S. Case No. 136 of 2017, registered for offences punishable under Sections 272, 273 and 120(B) of the Indian Penal Code and under Section 30(a), 38 and 47 of Bihar Prohibition and Excise Act, 2016.

Case of the prosecution is that police on information intercepted a pick-up Van and two motorcycles and seeing the police, petitioner started fleeing away, thereafter, police recovered more than 1200 litres of country made as well as foreign liquor from the said pick-up Van.

It has been submitted on behalf of the petitioner that there is nothing on record to show that the petitioner was fleeing away from the pick-up Van. He has been made accused in this case only



on the basis of suspicion. It has also been submitted that even during the course of investigation, it could not be ascertained that whether petitioner was accompanying other accused persons. Further petitioner has no criminal antecedent and has been in judicial custody since 08.03.2017 and now charge-sheet has also been filed.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, and also the fact petitioner has no criminal antecedent and has remained in judicial custody for more than three months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 136 of 2017, subject to the 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 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 reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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