

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25282 of 2017

Arising Out of PS.Case No. -240 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

=====

1. Vijay Prasad Kasera, Son of Late Krishna Prasad Kasera, R/o Village-
Dumarwana, P.S.-Bairgania, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Satyendra Narayan Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 18.04.2017 in
connection with Complaint Case No. C 2-240/2017 for offences
punishable under Section 30(A) of the Bihar Excise (Amendment)
Act.

The prosecution case, as lodged by the excise official,
is that the petitioner was found carrying 123.6 litres of Nepali
sophy wine near Indo-Nepal border. Accordingly, a seizure-list
was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and



nothing has been recovered from his conscious possession. He submits that the cognizance has been taken against him under Section 30(A) of the Bihar Prohibition and Excise Act and that he undertakes to cooperate with the investigation and not to tamper with the evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge, Sitamarhi, in connection with Complaint Case No. C 2-240/2017, subject to the condition that the petitioner will cooperate with the investigation and appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

