

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48721 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -KODHA District- KATIHAR

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Amit Sardar @ Mogli Sardar Son of Balbir Sardar @ Suchchi Sardar,
R/o Village- Gerabari Bazar, P.S.- Korha, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for bail in connection with Korha P.S. Case No. 213 of 2016 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Section 47(a) of the Bihar Excise Amendment Act 2016 having earlier been rejected by this Court by order dated 01.07.2017 in Cr. Misc. No. 24834 of 2017.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 129 litres of foreign liquor from the house of the petitioner and in fact, no such recovery was made from his conscious possession. The petitioner claims clean antecedents.

4. On earlier occasion, the learned Sessions Judge, Katihar had granted liberty to the petitioner to renew his prayer for bail after framing of charge. The petitioner accordingly renewed his prayer for bail but the same has been rejected.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody since 03.01.2017, let the petitioner above named be



released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge(Excise), Katihar, in connection with Korha P.S. Case No. 213 of 2016 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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