

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9560 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -NAVHATTA District- SASARAM (ROHTAS)

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1. Prince Kumar S/o Sri Jay Prakash Chandrabansi, Resident of Village+
P.S.- Nauhatta, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Tiwary
Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 Heard the parties.

This application has been filed in connection with Nauhatta
P.S.Case No.108 of 2016 dated 19.12.2016, G.R.No.1209 of 2016
for the offence under Sections 272, 273 and 34 of the Indian
Penal Code and Section 30(a) of Bihar Excise Prevention
(Amendment) Act, 2016.

The allegation against the petitioner is about recovery of 80
ltrs. of country-made liquor. It has been submitted on behalf of the
petitioner that the petitioner is Driver of the Tempo and nothing
has been recovered from his possessions rather it was of a
passenger but he fled away from there and the petitioner was
arrested. The petitioner has clean antecedent and he has remained
in custody for about four months.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that he has clean antecedent and also considering submissions of the learned counsel for the petitioner as well as the period of custody of the petitioner, 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 Sri Kavindra Kumar, J.M. 1st Class, Dehri-on-Sone, Rohtas in connection with Nauhatta P.S.No.108 of 2016, G.R.No.1209 of 2016.

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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