

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17751 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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1. Rahul Kumar @ Laltun Rai, Son of Yogendra Rai, R/o Village- Rebra,
P.S.- Khanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Khanpur P.S.Case No.14 of 2017 registered for offences punishable under Sections30(A) of Bihar Excise Amendment Act, 2016 having G.r.No.366 of 2017.

Allegation against the petitioner is that his Motorcycle was intercepted and from that Motorcycle about 30 ltrs. of foreign liquor have been recovered and it is also alleged that he was arrested on chase.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner rather from the Motorcycle of the petitioner but that Motorcycle he had given to other co-accused persons and they fled away and the petitioner



was arrested. The petitioner has no criminal antecedent and he has remained in custody for more than 2 ½ monrha.

Heard learned A.P.P. also.

Having heard both sides and in view of 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 S.D.J.M., Samastipur in connection with Khanpur P.S.Case No.14 of 2017 having G.R.No.366 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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