

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20744 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAIRWA District- SIWAN

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Rajesh Thakur, son of Dharmendra Thakur, resident of Mitha More , P.S.-
susand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Dhananjay Nath Tiwary, Advocate
For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Mairwa P.S.Case No. 46 of 2017 registered for the offences
punishable under Sections 272, 273, 308, 420B/34 of the Indian
Penal Code and 30(A), 37(B), 38(B) and 41(1) of Bihar
Prohibition and Excise Act, 2016.

Allegation as per FIR is that police has raided godown
of co-accused and after breaking the lock of the godown huge
quantity of liquor, altogether 151 litres, has been recovered and
petitioner was arrested while fleeing away.

It has been submitted on behalf of the petitioner that
FIR shows that the godown is not of the petitioner and it was
locked, rather the same is of other person and petitioner has no
criminal antecedent and has remained in custody for more than
three months.



Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VII, Siwan, in connection with Mairwa P.S.Case No. 46 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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