

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21886 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Guddu Rai son of Ram Ayodhya Rai Resident of Village - Bahrapur,
P.S. - Baikunthpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Baikunthpur P.S.Case No.6 of 2017, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is about recovery of 34 bottles of 750 ml. each liquor and it is submitted on behalf of the petitioner that he has been falsely implicated in this case as he was not present at that time and further the petitioner is in custody for about 1 ½ months and even there is no compliance of Section 100 of Cr.P.C. It is further submitted that the petitioner is not accused in other similar type of cases earlier.

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 C.J.M., Gopalganj in connection with Baikunthpur P.S.Case No.06 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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