

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26674 of 2017

Arising Out of PS.Case No. -387 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Rabi Kumar Son of Mahadeo Prasad, Resident of Village/Mohalla- Bari Durga Ashtan, Sadipur, Police Station- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharm, Sr. Adv.
Mr. Sanjiv Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The petitioner seeks regular bail in connection with Kotwali P.S. Case No. 387 of 2016, registered for offences punishable under Sections 30(a) of Bihar Excise (Amendment) Act and Section 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case is that police on informant raided the house of the petitioner and found two Tata Sumo vehicles parked in front of the house, from which 4 cartoons containing 96 bottles of 375 M.L. and 192 bottles of 375 M.L. and further from his house 144 bottles of 180 M.L. along with one country made pistol and one magazine with 37 live cartridges.

It has been submitted on behalf of the petitioner that F.I.R itself shows that at the time of seizure, the petitioner was not present at home and nothing has been recovered from his



conscious possession and though he is accused in two other cases, however, in one of the cases he has been acquitted and in another he is on bail. Further petitioner has remained in judicial custody 09.02.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Munger, in connection with Kotwali P.S. Case No. 387 of 2016, subject to the 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 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 reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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