

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32881 of 2017

Arising Out of PS.Case No. -301 Year- 2017 Thana -BIHTA District- PATNA

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JYOT KUMAR @ JYOT RAI son of Ram Bharosha Rai, village-Maudahi,
PS-Bihta, District-Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Kumar

For the Opposite Party/s : Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-07-2017 This application is for grant of bail in connection with

Bihta P.S. Case No. 301 of 2017 registered for the offence(s) under
section(s) 272 and 273 of the Indian Penal Code and sections 30(a) and
37(b) (c) of the Bihar Prohibition and Excise Act.

Allegation, as per the FIR, is of recovery of 100 litres of
country made liquor.

Submission of the learned counsel for the petitioner is
that nothing has been recovered from the possession of the petitioner,
he has no criminal history, he has been made accused only on the
confessional statement of the co-accused and the co-accused, having
similar allegation, has already been granted bail by a coordinate Bench
of this Court, vide order dated 07.07.2017 passed in Cr. Misc. No.
29579 of 2017. The petitioner is in custody for two months.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and



circumstances, as stated above, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge of Excise Court, Patna in connection with Bihta P.S. Case No. 301 of 2017, 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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