

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44385 of 2017

Arising Out of PS.Case No. -470 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Laltu Kumar son of Baleshwar Prasad Yadav Resident of village Tulsibari, P.S. Madhepura, District Madhepura.
 2. Nitish Kumar son of Lal Bahadur Yadav, Resident of village Gamhariya P.S. Sour Bazar, District Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Araria P.S.Case No.470 of 2017, Special Case No.2182 of 2017 registered for offences punishable under Sections 272 and 273/34 and Section 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 93.759 ltrs. of liquor.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and no such occurrence has taken place. The petitioner has no criminal antecedent and he has remained in custody for about 2 ½ months.

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/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions-cum-Spl. Judge, Araria in connection with Araria P.S.Case No.470 of 2017, Special Case No.2182 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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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