**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.47140 of 2017**

Arising Out of PS.Case No. -138 Year- 2017 Thana -MASRAKH District- SARAN

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1. Subash Kumar @ Sudhu S/o Pradip Sah @ Theha Resident of Village- Dumarshan, Police Station Masrakh, District Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Pramod Ban Bihari Singh
For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**
ORAL ORDER

2 12-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with Masrakh P.S.Case No.138 of 2017 registered for offences punishable under Sections 30 and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 200 ltrs. of liquor from the possession of one co-accused and the petitioner is also named in the FIR.

Submission of the learned counsel for the petitioner is that there is no recovery from the possession of the petitioner rather from the other co-accused persons. The petitioner has no criminal antecedent and he has remained in custody for about 03 months.

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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 Additional District and Sessions Judge-6th, Saran at Chapra in connection with Masrakh P.S.Case No.138 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.
(iv) If his active participation is found in such type of cases in future, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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