

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57865 of 2018

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1. Shambhu Maldar @ Shambhu Mahaldar son of Late Makeswar Maldar
@ Makeswar Mahaldar, resident of Lailakh, Kali Sthan, Police Station-
Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Excise
Case No.137 of 2018 registered for offences punishable under
Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 36 ltrs.
of liquor from the petitioner.

Submission of the learned counsel for the petitioner is that
he has no criminal antecedent and he has been falsely implicated
in this case, he is in custody since 19.7.2018 and the charge-sheet
has already been submitted.

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 2nd Addl. District and Sessions Judge-cum-Special Judge, Excise, Bhagalpur in connection with Excise Case No.137 of 2018.

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 in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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