

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60818 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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ADITYA KUMAR @ TINKAL @ TWINKLE son of Anil Kumar Jha,
resident of Village- Shasan, Jha Tola, Ward No. 5, P.S. Hasanpur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Bihari Sinha

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Samastipur Hasanpur Rly**
P.S. Case No. 139 of 2018 registered for the offence punishable
under Section 30(a), 35(a), 38(i)(ii), 41(i)(ii) and 47 of the Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 18
Litres of country made liquor.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Similarly, situated co-accused person has been granted bail by a
co-ordinate bench of this Court vide order dated 18.08.2018 in
Criminal Miscellaneous No. 50625 of 2018. Petitioner has got
no criminal antecedent and is in custody since 20.07.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **ADJ-VI cum Special Judge Excise, Samastipur** in connection with **Samastipur Hasanpur Rly P.S. Case No. 139 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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