

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65799 of 2018

Arising Out of PS. Case No.-593 Year-2017 Thana- FATUA District- Patna

MITHLESH JAMADAR @ MANELI @ MITHLESH Son of Kameshwar
Jamadar R/o Khusiyalpur,P.O. Gauri Punda, P.S. Fatua,Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikunj Shekhar, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Fatua P.S. Case No. 593 of 2017** registered for the offence punishable under Sections 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 90 Litres of mahua liquor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 29.03.2018 in Criminal Miscellaneous No. 15192 of 2018 and 29.06.2018 in Criminal Miscellaneous No. 37313 of 2018. Petitioner has got no criminal antecedent and is in custody since



30.06.2018.

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 **Special Judge (Excise) Patna**, in connection with **Fatua P.S. Case No. 593 of 2017**, 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 represented on each and every date fixed by the court.

(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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