

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60551 of 2018

Arising Out of PS.Case No. -319 Year- 2018 Thana -BARH District- PATNA

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1. Raju Kumar @ Sri Prakash S/o Pappu Kumar Singh, R/o Vill.- Ladma
(Nadwan), P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Special Case No. 7891 of 2018 arising out of Barh P.S. Case No.
319 of 2018, registered for offences punishable under Sections 30
(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. allegation against the petitioner along
with other accused persons is of recovery of 320 liters wine from
the possession of the petitioner from one Jhakhatia motorcycle
and seizure list has been prepared.

Submission of the learned counsel for the petitioner
is that the petitioner has falsely been implicated and nothing has
been recovered from possession of the petitioner and from F.I.R. it



appears that neither the vehicle nor the liquor belongs to the petitioner and the petitioner is in custody since 28.08.2018.

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 Special Judge, Excise Act, Patna in connection with Special Case No. 7871 of 2018, subject to the 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) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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