

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63591 of 2018

Arising Out of PS.Case No. -177 Year- 2018 Thana -DALSINGHSARAI District- SAMASTIPUR
=====

1. Upendra Rai S/o late Rameshwar Rai R/o Village- Rampur Jalalpur, P.S.
Dalsingsarai, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018 The petitioner is in custody since 02.07.2018 in connection with Dalsingsarai P.S. Case No. 177 of 2018, registered for offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38(1), 38(2), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is about recovery of 18 bottles of liquor containing 375 ml. each from the hut of the petitioner.

Submission of learned counsel for the petitioner is that hut belongs to his son and the petitioner has falsely been implicated in this case. Further submission is that the petitioner has no criminal antecedent and he is in custody for more than three months. The charge-sheet has already been submitted in this case.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above



named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Cum Special Judge, Excise, Samastipur, in connection with Dalsingsarai P.S. Case No. 177 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 cooperate 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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