

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62960 of 2018

Arising Out of PS. Case No.-500 Year-2018 Thana- BODHGAYA District- Gaya

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Brahmdeo Prasad, S/o Ganesh Mahto, Resident of Village- Bigha, P.S.-
Chauparan, Distt.- Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Bodhgaya P.S. Case No. 500 of 2018** registered for the offence punishable under Sections under Section 30(d) of the Bihar Prohibition and Excise Act, 2016. and Section 192 of the Motor Vehicle Act.

Allegation against the petitioner is of recovery of 280 Kg of Mahua Flower.

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 06.10.2018 in Criminal Miscellaneous No. 62319 of 2018. Petitioner has got no criminal antecedent and is in custody since 22.08.2018.

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, Gaya**, in connection with **Bodhgaya P.S. Case No. 500 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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