

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59678 of 2018

Arising out of PS. Case No.-293 Year-2018 Thana- DURGAWATI
District- Bhabhua (Kaimur)

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Tinku Kumar S/o Munna Prasad Mali @ Munna , R/o Vill.-
Bhadwaliya, P.S. (Jaipur), P.O.- Pepariya, P.S.- Mohania, District-
Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s: Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

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

State.

The petitioner seeks bail in a case registered for
offences under Sections 30 (A), 35 and 38 of the Bihar
Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 10 litres of
country-made liquor was recovered from the bag which was
being carried by the petitioner. It is contended that the petitioner
has been made accused in another case, i.e., Excise Case No. 57
of 2017 registered for the offences under Sections 30 (A), 35



and 38 of the Bihar Prohibition and Excise Act. It is urged that the petitioner is in custody since 21.08.2018.

Considering the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 293 of 2018 (Excise Case No. 748 of 2018) with a condition that if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

In view of the antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Kaimur at Bhabhua within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will



be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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