

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65887 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- ARARIA District- Araria

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Krishna Kumar, Son of Virendra Mandal, Resident of Om Nagar, Ward No.8,
P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Special Case No.214 of 2018 arising out of Araria P.S.Case no.71 of 2018 dated 14.2.2018 registered for offences punishable under Sections 30(a), 36 and 38 of the Bihar Prohibition and Excise (Amendment) Act, 2016 of the Indian Penal Code.

Allegation against the petitioner is about recovery of 13.500 ml. of liquor and the petitioner is not named in the FIR.

Submission of the learned counsel for the petitioner is that he is not named in the FIR and his name has been disclosed by the co-accused and nothing has been recovered from his possession. He is in custody since 28.8.2018, having no



criminal antecedent.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No.214 of 2018 arising out of Araria P.S.case No.71 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.



With the aforesaid observation, this application
is allowed.

(Vinod Kumar Sinha, J)

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