

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64398 of 2018

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1. Rakesh Kumar Sah, Son of Shyam Sah, Resident of Village- Tulsiyahi,
P.S.- Bihra, Dist- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Special (Excise) Case No. 427 of 2018 arising out of Bihra
P.S.Case No. 177 of 2018, registered for offences punishable
under Sections 30A of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner as per F.I.R. is of
recovery of 10 liters of illicit country made liquor from the
possession of the petitioner.

Submission of the learned counsel for the petitioner
is that the petitioner has falsely been implicated in this case and
nothing has been recovered from the possession of the petitioner
and he is in custody since 19.08.2018.

Heard learned A.P.P also opposes the prayer for
bail.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioners, 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, Saharsa, in connection with Special Case No. 427 of 2018 arising out of Bihra P.S.Case No. 177 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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