

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63578 of 2018

Arising Out of PS.Case No. -283 Year- 2018 Thana -SAHPUR District- BHOJPUR

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1. Deva Kumar @ Deva Kumar Singh S/o Shyam Kumar Munnu R/o
Village- Amrai Nawada, P.S. Bihiya, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Excise Case No.1431 of 2018 arising out of Shahpur P.S.Case No.283 of 2018 registered for offences punishable under Sections 30(a), 41(1) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 54 ltrs. of liquor from his bike.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case, having no criminal antecedent and he is in custody since 10.9.2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that he has no criminal antecedent and he is in custody for more than one



month, as such 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 Special Judge (Excise) Bhojpur at Ara in connection with Excise Case No.1431 of 2018 arising out of Shahpur P.S.Case no.283 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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