

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68332 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- FATEHPUR District- Gaya

Ajay Kumar Son of Jageshar Bhuiyan Resident of Village Lohara, P.S.
Chouparan, District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Fatehpur (Gurpa) O.P. P.S.
Case No.235 of 2018 registered for the offences punishable
under Sections 272, 273, 414, 34 of the I.P.C. and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is recovery of 60
litres of Mahua wine from the motorcycle which was being
ridden by him. Petitioner could not produce ownership of the
vehicle and it was a stolen vehicle which was seized by the
police.

Considering the nature of offence, the present petition
is dismissed.

However, after completion of **six months** in judicial



custody, 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, District, Gaya in connection with Fatehpur (Gurpa O.P.) P.S. Case No. 235 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 represented on each and every date fixed by the court.
- (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)

Sanjay/-

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