

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69523 of 2018

Arising Out of PS. Case No.-494 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Jai Shankar Rai, Son of Chhote Lal Rai, Resident of Village Musachak,
Ward No. 5, P.S.- Bairstania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Case No. C2/494 of 2018 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Allegation against petitioner is recovery of 207
liters of Nepali Saufi wine from the possession of the petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has falsely
been implicated in this case. Nothing has been recovered from
his possession. He has no criminal antecedent and he is in
custody since 19.08.2018.



Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Case No. C2/494 of 2018 subject to 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/Manoj-

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