

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69799 of 2018

Arising Out of PS. Case No.-1038 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

Laxmi Rai S/o Sakal Dev Prasad Yadav Resident of Village-Nazirpur,P.S.
Ahiyapur,Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Ahiyapur P.S. Case No. 1038 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 273 and 272 of the Indian Penal Code.

Petitioner has been implicated in this case on the basis of confessional statement of co-accused Shravan Ram from whose house 237.123 ml. of foreign liquor was recovered. Petitioner has no concern with the recovered illicit liquor or with the other co-accused. Nothing has been recovered from the possession of petitioner. Petitioner was not present at the spot. Petitioner is in custody since 26.09.2018.



Considering the aforesaid facts 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 Special Judge, Excise, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1038 of 2018 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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