

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70565 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- MATIHANI District- Begusarai

Pinkesh Kumar S/o Bilayti Singh Resident of Village-Jagatpura P.S. Matihani
Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Matihani P.S. Case
No.71/2018 registered for the offence punishable under Sections
30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of one cartoon having 12
bottles of 750 ML and three cartoons having 60 bottles of 375
ML. of foreign liquor from the house of the petitioner.

Petitioner has been made accused in three more cases
of similar nature.

Considering the aforesaid facts and circumstances of
the case, I am not inclined to enlarge the petitioner on bail at
this state. Hence, the prayer for bail of the petitioner is hereby
rejected.

However, **after completion of 6 months of 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 Addl. Sessions Judge II, Begusarai-cum-Special Judge, Bihar Prohibition and Excise Act, 2016 in connection with Matihani P.S. Case No.71/2018, 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.
- (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)

Sanjay/-

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