

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73034 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- KALYANPUR District- East Champaran

Mukesh Kumar son of Sahdeo Das, resident of Village- Chiknauta, P.S. Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Kalyanpur P.S. Case No.205 of 2018 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of about 221.76 litres foreign liquor from a car which was being boarded by two persons including the petitioner.

It has been submitted on behalf of the petitioner that there is no recovery from the possession of the petitioner rather the same was recovered from the car and the petitioner being the driver of the aforesaid car has no concern and knowledge about the alleged recovered liquor. Petitioner has no criminal antecedent and he is in custody since 12.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Kalyanpur P.S. Case No.205 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 properly 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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