

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75147 of 2018

Arising Out of PS. Case No.-173 Year-2018 Thana- FULKAHA District- Araria

Shyam Kumar Das S/o Garib Das, resident of Village- Bathnaha Ward No. 01
P.S. Bathnaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 1184 of 2018 arising out of Fulkaha P.S. Case No. 173 of 2018** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 15.400 litres of Nepali Liquor from the bag of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since 02.10.2018.

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 **2nd Additional Sessions Judge cum Special Judge Excise, Araria**, in connection with **Special Case No. 1184 of 2018 arising out of Fulkaha P.S. Case No. 173 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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