

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72867 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- ANDHRATHARHI District- Madhubani

Rishi Choudhary Son of Gopal Choudhary Resident of Village-Andhara, P.S.
Andhara Thandhi, District-Madhubani.... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Andhrathadhi P.S. Case No.106 of 2018 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 26.7 litres of country made liquor from the possession of co-accused, Gagan Jha who has alleged that he used to sell the same to the petitioner on higher price.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case. It has further been submitted that name of the petitioner has surfaced in this case on the confession made by co-accused, Gagan Jha and he has nothing to do with the alleged recovered wine.

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 Addl. Sessions Judge II-cum- Special Judge, Excise Act, Madhubani in connection with Andhrathadhi P.S. Case No. 106 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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