

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75609 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- JHANJHARPUR District- Madhubani

SHIV KUMAR RAM @ DHOKAWA @ DOKAWA, Son of Late Kapal Ram
@ Late Kapil Ram, R/o Village- Jhanjharpur, Ward No.12, P.S.- Jhanjharpur,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kr. Bharti, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Jhanjharpur P.S. Case No.114/2018 registered for the offence punishable under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of about 168 litres of country made liquor as well as foreign liquor from the house of the petitioner.

Petitioner is also accused in Jhanjharpur P.S. Case No.26 of 2018 registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016. Petitioner is in custody since 05.09.2018.

Considering the fact that petitioner has committed this offence twice, I am not inclined to enlarge the



petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, after completion of **five months** in judicial custody, 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Madhubani in connection with Jhanjharpur P.S. Case No.114/2018 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)

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