

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3621 of 2018

Arising Out of PS.Case No. -220 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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1. Deo Nath Rai Son of Munsii Lal Rai, Resident of Village-Mahnar Tara,
P.S.-Mahnar Dist.-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Mahnar P.S.Case no.220 of 2017, registered for offences punishable under Section 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner as per FIR is of recovery of more than 200 ltrs. of liquor from the possession of the petitioner.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his conscious possession or from the house of the petitioner rather it has been recovered from 200 mtr. away from his house and possibility of keeping it by any other person can not be ruled out as well as he has no criminal antecedent.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Mahnar P.S.Case No.220 of 2017 dated 10.9.2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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