

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3635 of 2018

Arising Out of PS.Case No. -17 Year- 2017 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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1. Jai Mangal Rai, Son of Kudal Rai, Resident of Village- Teenpairiya,
Police Station- Rustampur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Raghopujr P.S.Case No.17 of 2017, registered for offences punishable under Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

Allegation against the petitioner is about recovery of 63 ltrs. of country-made liquor from '*Bathan*' of the petitioner.

Submission of the learned counsel for the petitioner is that he is no way concern with the *Bathan* from where the seizure was made and further there is no compliance of Section 100 Cr.P.C.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 Oder, 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 Addl. Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Raghopur P.S.Case No.17 of 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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