

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55069 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- WARISNAGAR District- Samastipur

Md. Rais Khan @ Rais Khan S/o Md. Habib Khan R/o Vill.- Bhim Basti, P.S.
Bhopani, District - Fazidabad (Haryana).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Section 273 of the Indian Penal Code and Sections 38, 41 and 30 (a) of Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 567 liters and 1183 liters of foreign liquor were recovered from agricultural field and a truck respectively. It is contended that the petitioner is Driver of the Truck and he has no concerned at all with the alleged recovered liquor. It is contended that on the basis of disclosure made by one apprehended person, the name of the petitioner has come in this case. The petitioner was not arrested from the spot. Nothing has been recovered from his conscious possession. It is urged that the petitioner is in custody since



3.06.2018. It is stated in paragraph 3 of the bail petition that the petitioner is also involved in a similar nature of case.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, Excise, Samastipur in connection with Warisnagar P.S. Case No.132 of 2018 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Samastipur within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will



be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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