

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14320 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Suraj Kumar S/o Satish Ram, R/o Village- Khetila, P.S.- Atri, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barachatti
P.S. Case No. 58/2018 for offences punishable under Sections
30(a), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that a Honda City car was checked and in the car
100 litres of Nepali wine was recovered. Petitioner, who was
sitting in the car along with the driver, was apprehended.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and
nothing has been recovered from his conscious possession. He



submits that he is not the owner of the said vehicle and has just taken lift in the said car and is languishing in judicial custody since 20.01.2018 for no fault of his. He is ready to cooperate with the investigation, provide all necessary information and undertakes not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya, in connection with Barachatti P.S. Case No. 58/2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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