

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6482 of 2018

Arising Out of PS.Case No. -185 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

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Mithilesh Sahni @ Mithlesh Sahni, Son of Late Baleshwar Sahni,
Resident of Village- Simariya, Police Station- Kalyanpur, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 29.11.2017 in connection with Kalyanpur P.S. Case No. 185 of 2017 for the offences alleged under Sections 272, 273 of the Indian Penal Code and 30, 38 of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of 545 litres of *foreign* liquors and even according to the seizure list, such recovery has been made from the *Bhuskar* (Out house) in the premises of the petitioner's house and not from his conscious possession. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody already suffered since 29.11.2017, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 6th cum Special Judge, Excise Act, Samastipur, in connection with Kalyanpur P.S. Case No. 185 of 2017, on the following conditions:-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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