

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63871 of 2018

Arising Out of PS.Case No. -217 Year- 2018 Thana -PANCHRUKHI District- SIWAN

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1. Anil Kumar Singh @ Bhotha, Son of Lal Bahadur Singh, Resident of Village- Pachrukhi, Gahirwa Bari, P.S.- Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/ : Mr. Akhileshwar Kumar Shrivastva, Advocate

For the Opposite Party/s : Mr. Sri Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with Pachrukhi P.S.Case No.217 of 2018, registered for offences punishable under Sections 272, 273 and 308 of the Indian Penal Code and under Section 30 (a) of the Bihar Excise (Prohibition) Act, 2016.

Allegation against the petitioner as per F.I.R., is of recovery of 6.48 liters of foreign liquor from the dickey of motorcycle of the petitioner and accordingly, seizure list has been prepared. It is also alleged that except the present case, the petitioner has been made accused in another case, bearing Pachrukhi P. S. Case No. 139 of 2016.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case and nothing has



been recovered from the possession of the petitioner. It is also submitted that except the present case, no case is pending against the petitioner and he is in custody since 30.07.2018.

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, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge- II-Cum-Special Judge (Excise) , Siwan in connection with Pachrukhi P.S.Case No. 217 of 2018, subject to the 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) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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