

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64010 of 2018

Arising Out of PS. Case No.-366 Year-2018 Thana- BAKHTIYARPUR District- Patna

Devendra Singh @ Mukhiya Ji, Son of Late Ram Ekbal Singh, resident of
Village- Rampur Ismail, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 6520 of 2018 (Arising out of Bakhatiyarpur P.S. Case No. 366 of 2018)** registered for the offence punishable under Sections 294, 342, 372, 373, 376/34 of the Indian Penal Code and Section 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016 and Section 3(2)(AB), 4/6/7 of Immoral Traffic Act.

Informant who is Assistant sub Inspector of Police in his written complaint has stated that on secret information when he raided Quarter of one Akhilesh, petitioner along with other FIR named accused were arrested in a drunken state, and from the said Quarter some bottles of wine were also recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case.



Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 06.10.2018 in Criminal Miscellaneous No. 58172 of 2018, Criminal Miscellaneous No. 60464 of 2018 and Criminal Miscellaneous No. 59114 of 2018. Petitioner has got no criminal antecedent and is in custody since 17.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge (Excise) Act, Patna**, in connection with **Special Case No. 6520 of 2018 (arising out of Bakhatiyarpur P.S. Case No. 366 of 2018)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(S. Kumar, J)

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