

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66968 of 2018

Arising Out of PS. Case No.-629 Year-2017 Thana- BARBIGHA District- Sheikhpura

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KANHAIYA KUMAR @ KANHAIYA SINGH Son of Baleshwar Singh
Resident of Village-Delhwa, Police Station -Barbigha, Distt.-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1
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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Barbigha P.S. Case No. 629 of 2017 (Excise Case No. 837 of 2017)** registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

Allegation against the petitioner is of recovery of 5904 Litres of foreign liquor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 12.02.2018 in Criminal Miscellaneous No. 11015 of 2018, 27.03.2018 in Criminal Miscellaneous No. 17171 of 2018, 14.03.2018 in Criminal Miscellaneous No. 14488 of 2018,



13.04.2018 in Criminal Miscellaneous No. 21441 of 2018,
05.06.2018 in Criminal Miscellaneous No. 30651 of 2018,
28.06.2018 in Criminal Miscellaneous No. 35146 of 2018,
10.07.2018 in Criminal Miscellaneous No. 40102 of 2018 and
17.07.2018 in Criminal Miscellaneous No. 41952 of 2018.
Petitioner is in custody since 21.09.2018.

Considering the aforesaid facts and circumstances of
the case, let the petitioners 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 **1st
Additional District and Sessions Judge, Sheikhpura**, in
connection with **Barbigha P.S. Case No. 629 of 2017 (Excise
Case No. 837 of 2017)**, 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
represented 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.

(S. Kumar, J)

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