

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67404 of 2018

Arising Out of PS. Case No.-472 Year-2018 Thana- MANER District- Patna

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Jitendra Kumar S/o Gama Roy, R/o Village- Badal tola, Haldichapra, P.S.-
Maner, District-Patna.
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh
For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Special Case No.8607 of 2018 arising out of Maner P.S.Case No.472 of 2018 registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

Allegation against the petitioner is about recovery of 25 ltrs. of Mahua liquor from the house of the petitioner and it further appears that he is accused in one more case.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case, having no criminal antecedent, recovery is from the outside of the house and so far criminal antecedent is concerned , earlier a case had been lodged in the year, 2013 prior to coming into force of Bihar Prohibition and Excise Act, 2016 . He is in custody for



more than two months.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Special Cae No.8607 of 2018 arising out of Maner P.S.Case No.472 of 2018..

With 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) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

