

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70464 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- ISUAPUR District- Saran

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Mangal Rai son of Late Ram Dahin Rai, resident of Village- Agauthar Nanda,
P.S. Isuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kuamr Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Isuapur P.S. Case No. 134 of 2018 registered
for the offences punishable under Section 30, 38 and 41 of the
Bihar Prohibition and Excise Act.

Informant who is a police officer has alleged that
on secret information he raided in the field of Sudershan Rai
and seized 741.60 liters illicit liquor, where petitioner was
present.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Nothing has been recovered from
the possession of petitioner. The alleged illicit liquor recovered



from field of Sudershan Rai. He is in custody since 11.09.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of judicial custody the petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th A.D.J. -Special Judge, Saran, Chapra in connection with Isuapur P.S. Case No. 134 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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.

Accordingly, this Criminal Miscellaneous is here by
disposed of.

(S. Kumar, J)

Rajiv/Manoj-

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