

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72757 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- KUNDWACHAINPUR District- East
Champaran

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Awadhesh Kumar, Son of Upendra Ram, Resident of Village- Dostiya, P.S.
Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Kundwa Chainpur P.S. Case No. 121 of 2018** registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 135 Litres of Nepali Soufi Liquor from the SANTRO Car driven by him.

It has been submitted on behalf of the petitioner that the petitioner is Driver of the vehicle and was not aware about illicit liquor kept in the vehicle. Petitioner has got no criminal antecedent and is in custody since 18.08.2018.

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, Motihari**, in connection with **Kundwa Chainpur P.S.
Case No. 121 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 properly 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.

(4). If the petitioner is found involved in similar
nature of offence, after his release on bail, the trial court shall
take steps to cancel his bail bond.

(S. Kumar, J)

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