

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72335 of 2018

Arising Out of PS. Case No.-484 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Laddu Kumar @ Bharat Kumar, Son of Late Jailal Sah, Resident of Village-
Belwa, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Adv
For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Turkauliya P.S. Case No. 484 of 2018** registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and under Section 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Informant who is police officer has alleged in his written report that on secret information a raid was conducted in which 1000 Litres of Spirit was recovered from the Pick-up van standing in the house of Deolal Das and 1200 Litres of spirit was recovered from the house of Deolal Das. After seeing the police party two persons tried to flee away but one was caught and disclosed his name as Deolal Das and further disclosed the name of the co-accused who fled away as Naresh Prasad and also disclosed that the said spirit was purchased through the petitioner.



It has been submitted on behalf of the petitioner that no recovery was made from the house or possession of the petitioner. It has been further submitted that the petitioner has been falsely implicated in this case on the basis of confessional statement made by Deolal Das from whose house and possession 1000 Litres of Spirit was recovered from his Pick-up Van and 1200 litres was recovered from the house of Deolal Das. Petitioner has got no criminal antecedent and is in custody since 10.10.2018.

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, Motihari, East Champaran**, in connection with **Turkauliya P.S. Case No. 484 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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