

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3681 of 2018

Arising Out of PS.Case No. -317 Year- 2017 Thana -KOTWALI District- PATNA

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1. Raju Kumar, Son of Mahabir Sah, resident of Village Runi, P.S. Runi Saidpur, District- Sitamarhi at present South Mandiri, P.S. Budhacolony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Kant Mishra

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Spl. Case No.3289 of 2017 arising out of Kotwali P.S.Case no.317 of 2017 , registered for offences punishable under Sections 272, 273 and 120(B) of the Indian Penal Code and Section 30(a), 38(2), 41(1)(2) and 47 of the Bihar Prohibition and excise Act, 2016.

Allegation against the petitioner is about recovery of huge quantity of liquor from a hut and one co-accused has been arrested, who has disclosed the name of the petitioner.

Submission of the learned counsel for the petitioner is that there is no recovery from the house of the petitioner and he has no concern with that hut and also he does not appear to be present



there.

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, in the event of arrest or surrender before the court below within a period of six weeks from the date of Oder, be released 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 Spl. Judge Excise court, Patna in connection with Spl. Case No.3289 of 2017 arising out of Kotwali P.S.Case no.317 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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