

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51319 of 2018

Arising Out of PS.Case No. -47 Year- 2017 Thana -AKBARPUR District- NAWADA

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1. Kapil Mistry @ Rohit Kumar @ Kapil Kumar S/o Vijay Mistri, R/o Vill.-
Kannauj, P.S.- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2018 The petitioner is apprehending his arrest in connection
with Akbarpur P.S. Case No. 47/17, registered for offences
punishable under Section 30(a) of Bihar Prohibition & Excise Act,
2016.

Allegation as per F.I.R. is of recovery of 20 litres of
country made liquor.

It has been submitted on behalf of the petitioner that he
has falsely been made accused in this case and recovery has been
made from an open place and not from the possession of the
petitioner. Further he is a student of engineering and has no
criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let



the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J –II-cum-Special Judge, Excise Act, Nawada, in connection with Akbarpur P.S. Case No. 47/17, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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