

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49437 of 2018

Arising Out of PS.Case No. -203 Year- 2018 Thana -ARA MUFFSIL District- BHOJPUR

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1. Sujit Ram Son of Venna Ram, resident of Village- Bariswan, P.S. Shahpur, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Special Judge Excise, Bhojpur, Ara in Excise Case No.966 of 2018 Ara Muffasil P.S.Case No.203 of 2018 registered for offences punishable under Sections 414, 353 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner as per FIR is that the police intercepted a Pick-up Van and arrested Rahul Rai and the petitioner. In the meantime the villagers assembled there and started protesting due to which Rahul Rai succeeded in fleeing away and Nagendra Rai was arrested and there is also allegation that at the instance of the petitioner, from the bush 1296 ltrs. of liquor have been recovered.

Submission of the learned counsel for the petitioner is that



nothing has been recovered from his possession and he is in custody for about four months and compliance of Section 100 Cr.P.C. has also not been made.

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, be enlarged 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 Special Judge (Excise), Bhojpur Ara in connection with Excise Case No.966 of 2018 Ara Muffasil P.S.case No.203 of 2018.

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 disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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