

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54089 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -RAJEPUR District- EASTCHAMPARAN
(MOTIHARI)

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Vijay Mahto @ Vijay Kumar, Son of Ram Narayan Prasad @ Narayan Mahto, resident of Village- Siraha, Police Station- Pakari Dayal, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Rajepur P.S. Case No. 20/2018, registered for the offences punishable under Sections 302, 120B, 414 and 34 of the Indian Penal Code and section 30(a) and 45 of Bihar Prohibition & Excise Act.

Allegation is recovery of 198.36 litres of foreign liquor contained in 23 cartoons from Honda City car. Driver of the said vehicle managed to escape and the person sitting in the vehicle was apprehended who disclosed his name as Jasmindra Kumar @ Jasbindra Kumar. Thereafter, one Scorpio vehicle arrived there dashed personnel of the SAP resulting in fatal injury to him and



fled away.

It has been submitted that petitioner has falsely been implicated in this case. Name of petitioner has surfaced in the case on the confession of co-accused Jasindra Kumar who has been granted bail by a coordinate bench of this court vide order dated 31.07.2018 passed in Cr. Misc. 41564/2018.

Petitioner has no criminal antecedent. He is in custody since 01.07.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge VII-cum-Special Judge Excise, East Champaran at Motihari in connection with Rajepur P.S. Case No. 20/2018, subject to the 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and



reasonable reason will be sufficient to
cancel his bail bonds.

(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.

(S. Kumar, J)

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