

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74241 of 2018

Arising Out of PS. Case No.-347 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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China Mushar Son of Prithavi Mushar, Resident of Village- Udawant Nagar
(Sikaria Tola) P.S.-Udawant Nagar, District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Udawant Nagar P.S. Case No. 347 of 2018, Excise Case
No. 1486 of 2018 registered for the offence punishable under
Sections 30(a), 37(C) of Bihar Prohibition and Excise Act, 2016.

Allegation against petitioner is of recovery of 25 litres
of Mahua wine from his possession.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case only
on suspicion. Petitioner has no criminal antecedent and he is in
custody since 16.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge cum Spl. Judge Excise, Bhojpur at Ara, in connection with Nagar P.S. Case No. 347 of 2018, Excise Case No. 1486 of 2018 subject to the conditions that:-

(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 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 offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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