

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75602 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- SAKRI District- Madhubani

Awadhesh Rai @ Awadhesh Kumar S/o Fulgen Das Resident of Village-
Raghopur,P.S. Gayaghat,P.S. Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Sakri P.S. Case No.32/2018 registered for the offence punishable under Sections 272, 273/34, 406 and 420 of the Indian Penal Code and Sections 30(a), 36, 38(1), 41(1) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 3319 litres 200 ML. foreign liquor from a truck parked near a Pokhar and on seeing the police, persons standing there started to flee away. However, four accused persons were apprehended by the police and remaining managed to flee away and the apprehended persons disclosed the name of the petitioner as a co-accused who had fled away.

It has been submitted that the apprehended accused,



Anil Kumar, has already been granted bail by this Court, as contained in Annexure 2. Petitioner has no criminal antecedent and he is in custody since 26.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Sakri P.S. Case No.32/2018, with following 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 properly 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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