

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6499 of 2018

Arising Out of PS.Case No. -143 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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Bipin Kumar, Son of Ramashish Singh, Resident of Village- Madhutol,
P.S.- Khanpur, District- Samastipur (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.12.2017 in connection with Khanpur P.S. Case No. 143 of 2017 for the offences alleged under Sections 30(a), 38(1), 38(2), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and on the basis of extra-judicial confession of co-accused Sudhir Kumar being the driver of the vehicle with which the alleged recovery of 18 litres of foreign liquor was made. Except such statement of the co-accused, there is no material to connect the petitioner with the alleged offence. The petitioner claims clean antecedents

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge VI-cum-Special Judge, Excise, Samastipur, in connection with Khanpur P.S. Case No. 143 of 2017, on the following conditions:-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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