

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54702 of 2018

Arising Out of PS. Case No.-291 Year-2018 Thana- GARDANIBAG District- Patna

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Prem Pushkar, S/o Dharmraj Singh, aged about 23 years, Resident of House No. G/2, Sadhnapuri, Gardanibagh, Phulwari, Patna G.P., P.S.- Gardanibagh, P.O.- GPO, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-09-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner seeks bail in **Gardanibagh P.S. Case No. 291 of 2018** registered for the offence punishable under Section 38(i)(ii) of the Bihar Excise Act, 2016 and Section 414 of the Indian Penal Code.

Allegation against the petitioner is of recovery of 19 Litres of country made illicit liquor from the Sumo Vehicle of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The petitioner had met with an accident and in order to repair his Sumo Vehicle he had send his Vehicle in the Garaze. Petitioner



is in custody since 21.07.2018.

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 **Special Judge, Excise, Patna**, in connection with **Gardanibagh P.S. Case No. 291 of 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 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 bond.

(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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