

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60381 of 2018

Arising Out of PS.Case No. -491 Year- 2018 Thana -BODHGAYA District- GAYA

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1. Awdesh Kumar @ Awadhesh Kumar, S/o Naresh Yadav, Resident of
Village- Moratal, P.S- Bodhgaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

06-10-2018

The petitioner seeks regular bail in connection with Bodhgaya P.S. Case No. 491 of 2018, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 80 kilograms of mahua flower from the motorcycle of the petitioner and he is accused in one more case.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and has been in judicial custody since 18.08.2018 and though he is one more criminal antecedent but that is not under Excise Act.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya, in connection with Bodhgaya P.S. Case No. 491 of 2018, subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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