

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67909 of 2018

Arising Out of PS. Case No.-295 Year-2018 Thana- KHARHAGPUR District- Munger

Birbal Kumar Son of Anil Mandal @ Kapo Mandal Resident of
Raghopur, Poilice Station Nathnagar, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **H. Kharagpur P.S. Case No. 295 of 2018** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 160 Litres of country made liquor from the vehicle which was occupied by three persons including the petitioner.

It has been submitted that the petitioner has been falsely implicated in this case and nothing was recovered from the conscious possession of the petitioner. Neither vehicle belongs to him nor the seized country made liquor was in his possession. Petitioner has got no criminal antecedent and is in custody since 12.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge 2nd cum Special Judge (Excise Act), Munger,** in connection with **H. Kharagpur P.S. Case No. 295 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 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.

(S. Kumar, J)

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