

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68100 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- PHENHARA District- East Champaran

Raju Sah son of Late Satyanarayan Sah, Resident of Village- Bhavrua, P.S.-
Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Atul Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Phenhara P.S.Case No.17 of 2018 registered for offences punishable under Sections 188, 272, 290/34 of the IPC and Section 30 and 38 of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

Allegation against the petitioner is about recovery of 72.9 ltrs. of liquor from the vehicle of the petitioner.

Submission of the learned counsel for the petitioner is that he is not named in the FIR and only because he is owner of the vehicle, , he has been made accused in his case. He has no criminal antecedent and he is in custody for two months.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge cum Special Judge, Excise Act, East Champaran, Motihari in connection with Phenhara P.S.Case No.17 of 2018..

With following conditions :

- (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) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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