

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74274 of 2018

Arising Out of PS. Case No.-858 Year-2018 Thana- MADHEPURA District- Madhepura

MUSTAK ALAM @ MD. MUSTAK ALAM S/o Late Sadre Alam, Resident of Mohalla-College Chouk Ward No.4 Madhepura, P.S. and District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Madhepura P.S. Case No. 858 of 2018, Excise Case No. 1399/18** registered for the offence punishable under Sections 279, 337, 338 of the Indian Penal Code as well as under Section 37 (b) (c) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of dashing the tempo with his motorcycle in intoxicating condition on account of which persons sitting in the Tempo sustained injuries.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics. Petitioner is in custody since 20.10.2018.



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-II-cum-Special Judge Excise Act, Madhepura**, in connection with **Madhepura P.S. Case No. 858 of 2018, Excise Case No. 1399/18**, 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 properly 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.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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