

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75068 of 2018

Arising Out of PS. Case No.-942 Year-2018 Thana- SAHARSA District- Saharsa

Suraj Kumar @ Suraj Kumar Sharma Son of Bihari Sharma Resident of D.B.
Road Police Station Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Ramesh Chandra (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special (Excise) Case No. 431 of 2018, arising out of Saharsa Sadar P.S. Case No. 942 of 2018 registered for the offences punishable under Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act 2016.

Petitioner has been implicated in this case on the confession of driver of Pick-up Van on which 1400 liters country made liquor was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no relation either with the vehicle or the illicit liquor seized from the vehicle. At the



time of institution of present case petitioner was not accused in any other case. Petitioner is in custody since 26.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Motish Kumar Singh, learned Special Judge (Excise Act), Saharsa, in connection with Special (Excise) Case No. 431 of 2018 arising out of Saharsa Sadar P.S. Case No. 942 of 2018, subject to 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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