

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75530 of 2018

Arising Out of PS. Case No.-911 Year-2018 Thana- PHULWARISHARIF District- Patna

Amit Singh, S/o Bhola Singh @ Dilip Singh, Resident of Mohalla-Brindawan Colony Balmi Road No. 2, P.S.- Phulwarisharif, District- Patna, At present residing at 5/H1F-1, Sujendra Seth Lane Jorabagan Water Tank Beadon Street Kolkata (West Bengal) 700006.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-12-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 10569 of 2018 registered for the offences punishable under Sections 30(A)(B)(C) of the Bihar Prohibition and Excise Act, 2016.

Allegation against petitioner is recovery of 55 liters of country made liquor from a car which was driven by the petitioner.

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 only on the basis of suspicion. Petitioner is neither driver nor owner of the car. Petitioner has



no criminal antecedent and is in custody since 05.11.2018.

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 R.C. Malviya, learned Special Judge Excise, Patna, in connection with Special Case No. 10569 of 2018 arising out of Phulwarisharif (Janipur) P.S. Case No. 911 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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