

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48327 of 2018

Arising Out of PS.Case No. -417 Year- 2018 Thana -BARACHATTI District- GAYA

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Bhola Sao S/o Late Chamari Sao, R/o Bhaluachatti, P.S.- Barachatti,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Barachatti P.S.
Case No. 417/2018, registered for the offences punishable under
Sections 30(a), 30(D), 38 and 47 of Bihar Prohibition and Excise
Act, 2016.

On secret information, the police party conducted raid.
On seeing police party accused persons started fleeing away. One
person was apprehended, who disclosed his name Umesh
Bhuiyan. He disclosed the name of petitioner. The police
recovered 20 litre of Mahua wine and 130 K.G. of Mahua flowers.

It has been submitted that petitioner has falsely
implicated in the case. His name surfaced in the case on the basis



of confessional statement of co-accused. Petitioner was not apprehended on the spot.

Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge Excise, Gaya in connection with Barachatti P.S. Case No. 417/2018, subject to the 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (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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