

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6239 of 2018

Arising Out of PS.Case No. -652 Year- 2017 Thana -BARACHATTI District- GAYA

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Jasim Mian @ Md Jasim Alam, Son of Alimmuddin R/o Village-Gajragarh
P.S.-Barachatti, District-Gaya, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudha Chandra, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.11.2017 in connection with Barachatti P.S. Case No. 652 of 2017 for the offences alleged under Sections 30(a), 38, 47 of Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 126 litres of *English* wine and 60 litres of country made liquor said to have recovered from the *Bolero* vehicle. The petitioner is not the owner of the vehicle nor has any concern with the same and he has been implicated in the matter only because he is said to have seen fleeing away from the place of occurrence. There is no material to connect the petitioner with the alleged occurrence.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Special Judge, Bihar Excise Act, Gaya, in connection with Barachatti P.S. Case No. 652 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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