

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69784 of 2018

Arising Out of PS. Case No.-378 Year-2018 Thana- KOTWALI District- Munger

Md. Chunnu S/o Late Badrul Hasan Resident of Village-Purab Sari, Basanti Talab, Mushari, P.S. Kotwali (Purabsari), Distt.-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary
For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-12-2018 Heard the parties.

Petitioner seeks bail in Kotwali (Purab Sari) P.S. Case No.378 of 2018 registered under Sections 30(a), 32 of the Bihar Prohibition and Excise (Amendment) Act.

Allegation is recovery of 320 litres of Jharkhand made liquor kept in two bags from pick up van lying abandoned and the petitioner was seen fleeing from the place of occurrence.

It has been submitted on behalf of the petitioner that the petitioner is neither owner nor driver of the said vehicle and was not arrested on the spot but suo motu surrendered subsequently in the court. He is in custody since 18.09.2018.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount



each to the satisfaction of 2nd Additional District and Sessions Judge-cum-Special Judge Excise Act, Munger, in Kotwali (Purab Sarai) P.S. Case No.378/18 subject to the conditions that (I) Bailors must be of local having sufficient immovable properties within the jurisdiction of the court concerned (ii) petitioner/s shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his/their bail bond shall be cancelled by the court below and (iii) if the petitioner/s 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 and (iv) if the petitioners are found involved in similar nature of offence, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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