

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75167 of 2018

Arising Out of PS. Case No.-308 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

Prabhu Rai, S/o Late Nandlal Rai, Resident of Morwa, Ward No.9, P.S.-
Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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 Excise Case No. 308 of 2018 registered for
the offences punishable under Section 30(A) of the Bihar
Prohibition of Excise Act.

Allegation against petitioner is recovery of 77.76
liters of country made English wine from the house of 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. Nothing was recovered from the
possession of the petitioner. Petitioner has no criminal



antecedent and is in custody since 15.10.2018.

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 learned A.D.J.-III-cum-Special Judge, Excise, Samastipur, in connection with Excise Case No. 308 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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