

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53890 of 2018

Arising Out of PS.Case No. -154 Year- 2018 Thana -PAHARPUR District- EASTCHAMPARAN
(MOTIHARI)

=====

Umesh Ram S/o Phulaman Ram R/o Village- Lakhnipur, P.S. Paharpur,
District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 272, 273 of the Indian Penal Code and Section 30(a), (b), (c), 33, 34, 36, 37(a), (b), (c) of the Bihar Prohibition and Excise Act, 2016 registered in connection with Paharpur P.S. Case No. 154 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of 13 pouches of sprit from the shop of the petitioner. The petitioner was not arrested at the spot nor any recovery has been made from his conscious possession. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above



named petitioner 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 7th Additional District & Sessions Judge cum Special Judge Excise, East Champaran, Motihari in connection with Paharpur P.S. Case No. 154 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further 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) 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.

(iv) 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.

(Vikash Jain, J)

Md. Ibrarul/-

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