

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70482 of 2018

Arising Out of PS. Case No.-267 Year-2018 Thana- MASHRAK District- Saran

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Mangal Rai Son late Ram Dahin Rai Resident of Village-Agauthar Nanda,P.S.
Isuapur,Distt.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Masrakh P.S. Case No. 267 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and section 30, 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is recovery of 6000 liters country made liquor from a truck.

It has been submitted that petitioner is innocent and has been falsely implicated in this case. Nothing was recovered from the possession of the petitioner. Petitioner was not apprehended on the spot. The name of the petitioner has surfaced on the basis of confession of co-accused Bikky Kumar except confession there is nothing against the petitioner. Petitioner is in custody since 29.09.2018.



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 6th A.D.J. Special Judge, Saran, Chapra, in connection with Masarkh P.S. Case No. 267 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)

Rajiv/Manoj

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