

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72876 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

Shiv Kumar Son of Mam Chandra, @ Mam Chand Resident of Village-
Thaska, Police Station-Badora, District-Sonipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Ahiyapur P.S. Case No. 10 of 2018 registered for the offence punishable under Sections 272, 273, 420, 120B of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 7200 litres of Patanjali Mustard Oil and 396 litres of foreign liquor from the truck of which petitioner is the owner.

It has been submitted on behalf of the petitioner that his truck was hired by one Dharmendra Rai for transportation of goods upon which without his knowledge the alleged illicit liquor was kept alongwith other consumer goods. It has been



further submitted that pick up van of said Dharmendra Rai on which also illicit liquor was being carried was seized and recovered by the police at the same place.

Considering the aforesaid facts 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 Special Judge, Excise Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 10 of 2018 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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