

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.8183 of 2019**

Arising Out of PS. Case No.-280 Year-2018 Thana- BARHARIA District- Siwan

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Dhanu Miyan @ Asad Sidiquee sex Male aged about 23 years Son of Nurul  
Haque Resident of Village-Siswan Paschim Tola, P.S.-Barharia District Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Javed Aslam

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

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
ORAL ORDER

2      26-02-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Barharia P.S. Case No. 280 of 2018** registered for the offence punishable under Sections 272, 273, 308/34 of the Indian Penal Code and Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 452.160 litre from the house of one Tanveer. Allegation against the petitioner is that he was apprehended at the spot while he was trying to flee away.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 26.11.2018 in Criminal Miscellaneous No. 65891 of 2018. Petitioner has got no criminal antecedent and is in custody since 19.11.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge second cum Special Judge, Excise, Siwan,** in connection with **Barharia P.S. Case No. 280 of 2018**, with following 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 properly 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

**(S. Kumar, J)**

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