

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1429 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- UJIYARPUR District- Samastipur

1. Suraj Kumar @ Suraj Sah and Anr Ram Surat Sah Resident of Village-Harprasad Vishanpur, P.S-Jandaha, District-Vaishali
2. Rajeev Kumar Singh @ Kanchan Kedar Prasad Singh Resident of Village-Dharampur Bandey, P.S-Shahpur Patori, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Learned counsel for the petitioners submit that petitioner No. 1 has already been granted bail vide order dated 28.01.2019.

So far as petitioner No. 2 Rajeev Kumar Singh is concerned, who is in custody, seeks bail in connection with Ujiyarpur P.S. Case No. 263 of 2018 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Wine Prohibition and Excise Act, 2016.

Allegation against petitioner No 2 is recovery of 73.5 litres of foreign liquor from the Maruti car and he is also accused in case of similar nature.



Considering the nature of allegation against petitioner No. 2 Rajeev Kumar Singh, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarged on bail by the court below itself on 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. 3rd cum-Special Judge, Excise, Samastipur, in connection with Ujiyarpur P.S. Case No. 263 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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