

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5340 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Sunil Kumar Jayram Prasad Yadav Mohalla-Gud Ki Mandi(Arfabad Colony),P.S-Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 11388 of 2018 arising out of P.R. Case No. 120 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 1350 litres of Toddy from the vehicle of which petitioner is driver.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case due to oblique reason. Nothing has been recovered from the possession of petitioner. Petitioner is only driver of the said



vehicle and on looking the police party the owner managed to escape. Petitioner has no criminal antecedent and he is in custody since 01.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna, in connection with Special Case No. 11388 of 2018 arising out of P.R. Case No. 120 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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