

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3116 of 2019

Arising Out of PS. Case No.-361 Year-2018 Thana- BASANTPUR District- Siwan

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Musafir Ram @ Mosafir Ram, S/o Late Deoki Ram R/o Village- Basav Tilak
Sah Ka Tola, P.S. Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Basantpur P.S. Case No. 361 of 2018
registered for the offences punishable under Sections 272, 273,
308 of Indian Penal Code and under Section 30(a), 38 of Bihar
Prohibition and Excise Act.

Allegation is recovery of 1.80 liters of liquor from
the hut of the petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Petitioner was neither
apprehended from the place of occurrence nor alleged liquor
was recovered from his possession. Petitioner is in custody since



26.10.2018.

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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Siwan, in connection with Basantpur P.S. Case No. 361 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)

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