

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10642 of 2019

Arising Out of PS. Case No.-208 Year-2017 Thana- BARH District- Patna

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MOHAN KUMAR S/o Ishwar Mahto Res. of Wajitpur, P.S-Barh, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Opposite Party/s : Mr.Md. Nazir Ansari

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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 Barh P.S. Case No. 208 of 2017, SPL Case No. 4067 of 2017 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

Allegation is recovery of 39 litres of country made liquor from the possession of petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 23.11.2018.

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, Patna, in connection with Barh P.S. Case No. 208 of 2017, SPL Case No. 4067 of 2017 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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