

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5514 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- PIYAR District- Muzaffarpur

SANJEET KUMAR (male) aged about 30 years son of- Late Rajendra Rai
Resident of village-Patsara, P.S.- Piar, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Piar P.S. Case No. 239 of 2018** registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

It is alleged that total 138.420 liters of foreign liquor has been recovered from Bolero vehicle on which petitioner along with other co-accused were found sitting.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He has no concern with the said recovery and was not aware that illicit liquor was kept in the said vehicle. It has been further submitted that similarly placed co-accused have been granted bail by co-ordinate Bench of this Court vide order dated



05.02.2019 passed in Cr. Misc. No. 6440 of 2019. Petitioner has got no criminal antecedent and is in custody since 25.12.2018.

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 **Special Judge Excise, Muzaffarpur**, in connection with **Piar P.S. Case No. 239 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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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