

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6558 of 2019

Arising Out of PS. Case No.-187 Year-2018 Thana- BARBIGHA District- Sheikhpura

MITHU SARDAR @ MITHUN CHAKRAVARTI, S/o Ramchandra Singh,
R/o Maur, P.S. Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Excise Case No. 164 of 2018 arising out of Barbigha P.S.Case No. 187 of 2019 registered for the offence punishable under Sections 272, 273, 188/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Prohibition Act, 2016.

Allegation is recovery of 1026 litres of foreign liquor which was kept in the toilet of Panchayat Bhawan. Petitioner and other accused having named in the FIR were apprehended on the basis of information received by the informant from the local villagers.

It has been submitted on behalf of the petitioner that



he has been falsely implicated in this case. Nothing was recovered from his possession nor he was apprehended on the spot. Petitioner is in custody since 15.12.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District & Session Judge, Sheikhpura, in connection with Excise Case No. 164 of 2018 arising out of Barbigha P.S.Case No. 187 of 2019 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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