

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7918 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Shiv Lal Choudhary, aged about 66 years (Male), son of Late Bipad Choudhary Resident of Village - Deoria, P.S.- Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar
For the Opposite Party/s : Mr.Ahtasham Ali Khan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Case No. C-III-209/2018 registered for the offence punishable under Section 30(a)(c) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 3.5 litres country-made liquor behind the house of the petitioner and 120 litres of Jawa were also recovered which were destroyed during digging out from the earth.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner is in custody since 24.09.2018.

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 Additional Sessions Judge-II-cum- Special Judge Excise Act, Siwan in connection with Case No. C-III-209/2018, 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.

(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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