

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8913 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua) *

BHARAT GOND aged about 21 years, (M) S/o Awadhesh @ Awadhesh
Gond Resident of Village- Karji, P.S- Chainpur District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-03-2019

Heard learned counsel for the parties.

Petitioner seeks bail in **Excise Case No. 1106 of 2018**
arising out of Chainpur P.S. Case No. 385 of 2018 registered
for the offence punishable under Sections 30(a) and 37 (1) (2) of
the Bihar Prohibition and Excise Act, 2016.

Informant who is a police officer has stated in his
written complaint that on receipt of an information he along
with other police personnel raided said place and on seeing
police party people assembled there started fleeing away but out
of them three were apprehended and thereafter they recovered
total 5.22 litre illicit liquor between the shop of the petitioner
and graveyard.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case only on suspicion. Nothing has been recovered from his possession. Petitioner has got no criminal antecedent and is in custody since 28.12.2018.

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 **Additional District and Sessions Judge- VI-cum-Special Judge, (Excise), Kaimur at Bhabua**, in connection with **Excise Case No. 1106 of 2018 arising out of Chainpur P.S. Case No. 385 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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