

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8007 of 2019

Arising Out of PS. Case No.-169 Year-2017 Thana- BAUSI District- Purnia

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BIPIN KUMAR S/o Ram Kripal Singh village-Anand Bihar Colony
Sahwazpur, P.S. Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Baisi P.S. Case No. 169 of 2017 giving rise to Special Excise Case No. 2199 of 2017 registered for the offence punishable under Section 273 of the Indian Penal Code and Sections 30(a), 41 of the Bihar Prohibition & Excise Act, 2016.

Informant has alleged in his self statement that while he alongwith other police personnel were on duty and when they reached at Charaiya Madarsa N.H. 31 they saw a Mahindra Pick up van which was turtle down and near the van bottles of wine were kept. On search 632 .070 litres of foreign liquor was recovered and 150 pieces of Ananas was also recovered.



It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case on the basis of ulterior motive. It has been further submitted that Petitioner is the owner of vehicle and he was not present there. He has no knowledge about the alleged liquor. Petitioner is in custody since 23.10.2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Purnea, in connection with Baisi P.S. Case No. 169 of 2017 giving rise to Special Excise Case No. 2199 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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