

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.8914 of 2019

Arising Out of PS. Case No.-549 Year-2018 Thana- HILSA District- Nalanda

ANUJ KUMAR @ ANUJ PRASAD @ AMIT KUMAR Son of Munni Prasad
@ Saket Bihari @ Munilal Prasad @ Munni Yadav Resident of Village –
Kurtha, P.S. Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Hilsa P.S. Case No. 549 of 2018 registered for
the offence punishable under Sections 30a, 38, 41 of the Bihar
Excise Prohibition and Excise Act, 2016.

Allegation is recovery of 2052.30 litres of foreign
liquor from the container and two motorcycle.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR. He has been falsely
implicated in this case on the basis of suspicion because seized



motorcycle was kept near the alleged container. Petitioner was not apprehended on the spot and nothing has been recovered from his possession. Petitioner is in custody since 18.12.2018.

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 6th Additional District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Hilsa P.S. Case No. 549 of 2018 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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