

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8934 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- SAHPUR District- Patna

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CHHOTU PAL, aged about 22 years, (M) S/o Late Bhola Pal Resident of
Village- Bari Khagaul, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-03-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 30(a) and 37 (c) of
the Bihar Prohibition and Excise Act.

Allegation is of recovery of 3 litre illicit liquor
from the possession of petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case.
Nothing has been recovered from his possession. Petitioner has
got no criminal antecedent and is in custody since 05.01.2019.



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 court below where the case is pending in connection with **Special Case No. 186 of 2019 arising out of Shahpur P.S. Case No. 05 of 2019**, with following condition:-

(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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