

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9472 of 2019

Arising Out of PS. Case No.-1043 Year-2018 Thana- AGAMKUAN District- Patna

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MUKESH RAI, aged about 27 year, (M) Son of Rambabu Rai Resident of
Village – Terasia, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-02-2019

Heard learned counsel for the parties.

Petitioner seeks bail in **Agamkuan (Patna) P.S. Case No. 1043 of 2018 Special Case No. 12120 of 2018** registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 64 litre of country made liquor from the basket which was being carried by the petitioner on motorcycle.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He has no concern with the alleged recovery. Petitioner is in custody since 24.12.2018 and is not accused in any excise case.

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 **Special Judge, Excise, Patna**, in connection with **Agamkuan P.S. Case No. 1043 of 2018 Special Case No. 12120 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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