

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11692 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- BAUNSI District- Banka *

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KUNDAN KUMAR GUPTA, aged about 26 years, male, Son of Shukhdeo Prasad Gupta @ Shukhdeo Gupta R/o village - Jagdishpur, P.S- Rajaun, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bausi P.S. Case No.2/2019 registered for the offence punishable under Section 30(a), 37(b) of the Bihar Prohibition & Excise Act, 2016 and Sections 420 and 414 of the Indian Penal Code.

Allegation is recovery of 3 litres illicit liquor from from a vehicle which was being boarded by the accused persons including the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent and he is in custody since 14.01.2019.

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 2nd Additional District and Sessions Judge, Banka in connection with Bausi P.S. Case No.2/2019, 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.

(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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