

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10292 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- SATHI District- West Champaran

KHEDARU BIN @ KHEDARU MUKHIYA, aged about 48 year, Male S/o
Bhagat Bin @ Bhagat Mukhiya Resident of Village - Basantpur, P.S.- Sathi,
District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Sathi P.S. Case No. 138 of 2018** registered for the offence punishable under Sections 272, 273, 413, 414, 467, 468, 471 and 34 of the Indian Penal Code and under Sections 30(a), 30 (b) and 30(c) of the Bihar Prohibition and Excise Act.

Informant who is a police officer has alleged in his written complaint that on 10.08.2018 he got a secret information about manufacturing of illicit liquor and on said information he along with other police personnel raided at the said place and recovered huge quantity of country made liquor and motorcycles.

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 the possession of the petitioner. He was not apprehended on the spot. Name of the petitioner has surfaced in this case only on the basis of confessional statement of co-accused. Petitioner has got no criminal antecedent and is in custody since 05.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, Bettiah, West Champaran**, in connection with **Sathi P.S. Case No. 138 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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