

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13158 of 2019**

Arising Out of PS. Case No.-396 Year-2018 Thana- PARBATT A District- Khagaria

SHIVNANDAN DAS Son of Birbal Das Resident of Village - Kulharia, P.S.  
Parbatta, Distt - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Md. Matloob Rab

**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 Parbatta P.S. Case No. 396 of 2018 registered for the offence punishable under Sections 30(a) (c)(d) and 47 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 80.640 litres of foreign liquor from the courtyard of the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. He was not arrested on the spot and nothing has been recovered from his conscious possession. Petitioner has no criminal antecedent and he is in custody since 01.12.2018.

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 A.D.J.-IInd, Khagaria, in connection with Parbatta P.S. Case No. 396 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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