

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13120 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- RAMGARH District- Kaimur (Bhabua) *

PARAS MUSAHAR, aged about 35 years, (Male), Son of Late Jamuna Musahar, Resident of Village - Ramgarh (Musahar Toli), P.S- Ramgarh, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-03-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 30(a), 38(i), 56(d) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 16 liters of country made liquor from the house the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 27.08.2018 passed in Cr. Misc. No. 52729 of 2018. Petitioner is in custody since 04.01.2019.



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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Excise Case No. 672 of 2018 arising out of Ramgarh P.S. Case No. 214 of 2018, subject to 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 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 bonds.

(S. Kumar, J)

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