

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19837 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- KINJAR District- Jehanabad

VIJAY KUMAR SAO @ BIJAY KUMAR, aged about 25 years, (M) Son of Janki Sao R/o Village- Dakshini Daulatpur, Raja Bazar, P.S.- Nagar (Jehanabad), District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      02-04-2019

Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 341, 323, 307 and 353 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is recovery of 72 litre of country made mahua liquor from the tempo of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is the owner and driver of the tempo and has no concern with the seized liquor. He has no knowledge as to from where illicit liquor was kept in tempo which he used to ply. Petitioner has got no criminal antecedent and is in custody since



16.01.2019.

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 court below where the case is pending in connection with **Kinjar P.S. Case No. 10 of 2019 (Excise Case No. 84 of 2019)**, with following condition:-

(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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