

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17047 of 2019**

Arising Out of PS. Case No.-214 Year-2018 Thana- NAUTAN District- Siwan

ISHAAK NAT @ ISHAHAK NUT, aged about 35 years, (M) Son of Chhote Nut, Resident of Village- Pachlakhi, P.S- Nautan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Ramesh Chandra

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 272, 273, 308 and 34 of the Indian Penal Code and under Sections 30(a), 38 (A) and 41 (i) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 45 litre of Indian made foreign liquor was recovered from the cultivable field opposite to the house of petitioner.

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 his possession and the alleged recovery is from open cultivable field opposite to the house of



petitioner. Petitioner has no concern with the illicit liquor and was not aware that illicit liquor was kept there. He is in custody since 08.11.2018.

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 court below where the case is pending in connection with **Nautan P.S. Case No. 214 of 2018**, 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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