

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77788 of 2018

Arising Out of PS. Case No.-321 Year-2018 Thana- RIVILGANJ District- Saran

Sri Bhagwan Sah @ Bhagwan Sah son of Late Sudama Sah Resident of
Village - Bara Telpa P.S. - Chapra Town Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Rivilganj P.S. Case No. 321 of 2018 registered
for the offence punishable under Sections 272, 273 of the
Indian Penal Code and Section 30 A, 38 of the Bihar Prohibition
and Excise Act, 2016.

Allegation against petitioner is of recovery of 40
litres of country made liquor from his possession.

It has been submitted on behalf of the petitioner
that similarly placed co-accused, namely Shyam Nandan Mahto
@ Shyama Nand Mahto has been granted bail by this Hon'ble
Court vide order dated 21.12.2018 passed in Cr. Misc. No.



77054 of 2018. petitioner has no criminal antecedent and he is in custody since 12.10.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 6th, Saran at Chapra, in connection with Rivilganj P.S. Case No. 321 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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