

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78132 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Manish Kumar S/o Shri Ram Binod Rai @ Binod Rai, R/o Vill.- Piprarhi,
Tole-Puparhar, ward No. 6, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv.
For the Opposite Party/s : Smt. Veena Rani Prasad. (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner sand learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with G.O. Case No. 138 of 2018 registered for the
offences punishable under Sections 30(A), Bihar Prohibition
and Excise Act, 2016.

Allegation is recovery of 43.500 ml. liquor of
Nepali saufi from the possession of petitioner while informant
was on patrolling duty.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. Petitioner has
been falsely implicated in this case. Petitioner has no criminal
antecedent and is in custody since 23.10.2018.



Considering the aforesaid fact 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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Sitamarhi, in connection with G.O. Case No. 138 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 bond.

(S. Kumar, J)

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