

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78558 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Munna Kewat son of Sri Bhola Kewat, Resident of village- Podaiya Hat
(Kewat Tola), Police Station- Podaiya Hat, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr.Smt Pushpa Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ex. Complaint Case No. 139 of 2018
registered for the offences punishable under Section 30 (a) of
Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 50 liters of spicy country
made liquor from the possession of petitioner while he along
with co-accused was taking the illicit liquor on motorcycle and
on seeing police tried to flee away and subsequently after
leaving the motorcycle fled away in the paddy field. However,
he was arrested and another co-accused managed to escape
taking advantage of darkness.



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 on suspicion. Petitioner is not related with either motorcycle or seized illicit liquor. He has no criminal antecedent and is in custody since 09.10.2018.

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 2nd , Banka, in connection with Ex. Complaint Case e No. 139 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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