

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78124 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- RATANPUR District- Supaul

Shiv Kumar son of Deo Naryana Mukhiya Resident of village - Satan Patti
Narpat Patti ward no. 6, P.S. Ratanpura, Distt. - Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Respondent/s : Mr.Sri Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **S.T. Excise No. 769 of 2018**
arising out of Ratanpura P.S. Case No. 60 of 2018 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Informant who is a police officer has stated in his
written complaint that he received information while he was on
patrolling duty that petitioner is engaged in the trade of illicit
liquor and on receipt of said information he reached the house
of petitioner and near the hand-pump 24.6 litres of Nepali liquor
was recovered.

It has been submitted on behalf of the petitioner that
the said hand-pump is a public hand-pump and used by general
public and nothing has been recovered from the possession of



the petitioner. Petitioner has got no criminal antecedent and is in custody since 22.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-2nd cum Special Judge, Excise Act, Supaul**, in connection with **S.T. Excise No. 769 of 2018 arising out of Ratanpura P.S. Case No. 60 of 2018**, with following 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 properly 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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