

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1180 of 2019

Arising Out of PS. Case No.-96 Year-2018 Thana- BALTHAR District- West Champaran

Dilip Kumar Sharma, son of Late Sunil Sharma, Resident of Village –
Laxmipur, P.S. Purushottampur, District, West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Balthar P.S. Case No.96 of 2018 registered for the offence punishable under Sections 272, 427, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 30 litres Nepali Saufi wine from the bag which was kept on the motorcycle of the accused persons. Petitioner is said to be pillion rider.

It has been submitted on behalf of the petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent and he is in custody since 31.08.2018.

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 Special Judge, Excise, West Champaran, Bettiah in connection with Balthar P.S. Case No.96 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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