

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.490 of 2019

Arising Out of PS. Case No.-393 Year-2018 Thana- PATNA CITY CHOWK District- Patna

Jonshon Rai, son of Ravindra Rai alias Ravindra Kumar, resident of village, Kauakhoh (kaimashikoh), Opposite Mata Maiya, P.S. Chauk (Patnacity), District, Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Special Case No.9442 of 2018 arising out of Chowk P.S. Case No.393 of 2018 registered for the offence punishable under Sections 25(1-b)a/26 of the Arms Act and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant who is a Police Officer has alleged in his self-statement that from possession of Jonshon Rai (petitioner) 16 litres of illicit country made Mahua liquor has been recovered. There is no allegation of recovery of any Arms or ammunition from possession of petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner is in custody since 07.10.2018.



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 Special Judge (Excise), Patna in connection with Special Case No.9442 of 2018 arising out of Chowk P.S. Case No.393 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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