

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1069 of 2019

Arising Out of PS. Case No.-385 Year-2017 Thana- SHERGHATI District- Gaya

Shubham Kumar @ Shubham S/O Birendra Singh Resident of Mohalla -
Godabri, Mehendi Bagicha, P.S-Vishnupad, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in (Sherghati) Dobhi P.S. Case No.385 of 2017 registered for the offence punishable under Sections 272, 273, 414 and 34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 25 litres country made and 16.350 litres Indian made foreign liquor from a tempo which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that he has no concern with the said tempo and on the statement made by the owner of the tempo as petitioner is driver of the said tempo, he has been implicated and apprehended in this case. Petitioner has no criminal antecedent and he is in custody



since 30.11.2018..

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 Excise Judge, Gaya, in connection with (Sherghati) Dobhi P.S. Case No.385 of 2017, 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)

Sanjay/-

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