

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78317 of 2018

Arising Out of PS. Case No.-373 Year-2018 Thana- MAIRWAN District- Siwan

Rajesh Singh Son of Ashok Singh Resident of Village P.O. Kabirpur, P.S. Mairwa, Distt.-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Angad Kunwar, Adv.

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mairwa P.S. Case No. 373 of 2018 registered for the offences punishable under Sections 272, 273, 308, 34 of the Indian Penal Code and Sections 30(a), 38(1), 41 (1) of the Bihar Prohibition and Excise Act, 2016.

Informant who is police officer has alleged that while he was on patrolling duty he recovered 10.800 ml illicit liquor from the motorcycle of the petitioner.

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. Nothing has been recovered from the possession of the petitioner. He is in custody since



22.09.2018.

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 Additioal Sessions Judge-II-cum-Special Judge, Excise, Siwan, in connection with Mairwa P.S. Case No. 373 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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