

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1458 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

1.Shiv Shankar Kumar

2. Subhas Kumar

Both sons of Bindeshwar Prasad, resident of village- Mangar Chak, Police
Station- N.T.P.C., Badh, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar

For the Opposite Party/s : Mr.Sri Ahtash Ali Khan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Lakhisarai Excise Case No. 83C2/2018
registered for the offence punishable under Section 30(a), 34,
41, 56(b) of Bihar Excise Act, 2018.

Allegation is recovery of 80 litres of country made
liquor and 160 litres of Spicy country made liquor from the
dicky of the vehicle which was occupied by petitioners.

It has been submitted on behalf of the petitioner that
he is neither the driver, co driver or owner of the vehicle but had
taken lift on said vehicle to reach his destination. Petitioner has



no criminal antecedent and he is in custody since 01.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge-II, Lakhisarai, in connection with Lakhisarai Excise Case No. 83C2/2018 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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