

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21232 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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CHHOTU BHUIYAN, (Male), aged about 29 years, Son of Kishori Bhuiyan,
Resident of Village - Khunti Kewat Khurd, Police Station - Hunterganj and
District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(c) and 56(B) of the Bihar
Prohibition & Excise Act, 2016 and Sections 2(e), 3 and 5(b) of
the Mahua Flower Rules.

Allegation is recovery of 450 k.g. of Mahua flower
from a vehicle which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case. It has further been submitted that petitioner is driver of
the said vehicle and he has no concern with the recovered
Mahua flower. Petitioner has no criminal antecedent and he is in
custody since 05.02.2019.



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 court below where the case is pending in connection with Excise Case No.57 of 2019, 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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