

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34453 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- NADI NAINAHA District- West
Champaran

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NAVIN KUMAR Son of Late Balwan Singh Resident of Village- Harikot,
Police Station- Hisar Sadar, District- Hisar, Haryana.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 31-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Nadi P.S. Case No.
35/2018, instituted for offences under Sections 420, 467, 468/34
of the Indian Penal Code read with Section 30(a) of the Bihar
Prohibition and Excise Act.

Earlier prayer for bail of petitioner was rejected by
this Court vide order dated 07.02.2019 passed in Cr. Misc. No.
1067/2019 with liberty to renew prayer for bail after six months
in custody in the event no substantive progress is made in trial.

It is alleged in the written report that on secret
information that illicit foreign liquor is being loaded in Bolero
vehicle and the same is being unloaded in a boat on the bank of



river *Gandak*, the informant along with police personnel reached at the place of occurrence and saw 14-15 persons unloading the illicit foreign liquor on a Boat. Out of them, one person was apprehended by the police and rest managed to run away. On search 120 cartons of foreign liquor from Bolero Pick-up van and 80 cartons for foreign liquor from boat, total 1728 litres were recovered.

Report from the court below regarding stage of trial has been received from which it appears that charge has not been framed in this case till date.

Petitioner is in custody since 07.09.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran, in connection with Nadi P.S. Case No. 35/2018, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and



absence on two consecutive dates
without valid reason will result in
cancellation of bail bond of the
petitioner and

(III) if petitioner tamper with the evidence
in the case, prosecution will be at
liberty to move for cancellation of bail
bond of the petitioner.

(Sanjay Priya, J)

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