

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36281 of 2019**

Arising Out of PS. Case No.-92 Year-2019 Thana- GOVT. OFFICIAL
COMPLAINT CASE District- Sheikhpura

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BHIM KUMAR, male, aged about 30 years, Son of Late Mahender Ram @
Mahendra Ram Resident of Village - Biman, P.S.- Ariyari, District -
Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 18.03.2019 in
connection with Excise Case No. 92 of 2019 for the offences
alleged under Sections 30(a) and 37(b) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. It is submitted that the petitioner has been falsely
implicated and the recovery of the offending goods has been
made from the bank of the river with which the petitioner has no
concern. Similarly situated co-accused Dharamraj Kumar has
been granted bail by this Court in Cr. Misc. No. 25221 of 2019. The
petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named be



released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge, Sheikhpura, in connection with Excise Case No. 92 of 2019, on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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