

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38678 of 2019

Arising Out of PS. Case No.-147 Year-2018 Thana- MAHISHI District- Saharsa

=====

RAM NIVAS Son of - Chotu Ram @ Chhotu Ram Resident of Village- Tajpur
Kalan, P.S.- Alipur, District- Delhi 36, State- Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

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

The petitioner seeks bail in **Special (Excise) Case**
No. 345 of 2018 arising out of Mahishi (Jalai O.P.) P.S. Case
No. 147 of 2018, instituted for the offence under Section(s) 30
A, 38(i) and 41(i) of Bihar Prohibition and Excise Act, 2016.

Prayer for bail of the petitioner was earlier rejected by
this Court vide order dated 2.11.2018 passed in Cr. Misc. 65177
of 2018 with liberty to renew his prayer for bail after six
months.

Report was called for from the court below which has
been received. From the report it appears that two witnesses
have been examined and seven are yet to be examined.

Petitioner is in custody since 26.6.2018.

Considering the aforesaid facts and circumstances of



the case, 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 **A.D.J. II cum Special Judge, Excise Act, Saharsa**, in connection with **Special (Excise) Case No. 345 of 2018 arising out of Mahishi (Jalai O.P.) P.S. Case No. 147 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

