

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43999 of 2019

Arising Out of PS. Case No.-148 Year-2018 Thana- RAGHUNATHPUR District- Siwan

Sunil Baitha @ Mithun Baitha Son of Gayani Baitha Resident of Village -
P.O. and P.S.- Tari Bazar, Dist.- Siwan ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Rajiv Kumar, Advocate

For the Opposite Party : Mr.Indra Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence punishable under different sections of the Indian Penal Code as well as under the Bihar Prohibition and Excise Act, 2016 for recovery of 3 liters foreign made liquor from him.

Learned counsel for the petitioner submits that the recovery is from nearby petitioner's shop and not from his conscious possession. Petitioner is in custody since 22.6.2019 and charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Additional Sessions Judge II cum Special Judge, Siwan in Raghunathpur Police Station Case No. 148 of 2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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