

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53549 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- PHULPARAS District- Madhubani

BIDYA NAND KAMAT Son of Ramadhin Kamat Resident of Village-Khopa,
Police Station-Phulparas, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Phulparas P.S. Case No.
71/2018, instituted for offence under Section(s) 272 and 273/34
of the Indian Penal Code read with Section 30(a)(d)/
32(2)/36/38(i) of the Bihar Prohibition and Excise Act.

It is alleged that on getting information police party
reached at the place of occurrence and recovered total 2797.460
litres of foreign liquor, kept in a truck.

Learned counsel for the petitioner has submitted that
petitioner is neither owner nor driver of aforesaid truck. Name
of petitioner has been disclosed by co-accused Arun Purve, who
has already been granted bail by this Court vide order dated
05.11.2018 passed in Cr. Misc. No. 66203/2018.



Petitioner is in custody since 16.07.2019.

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 2nd Addl. Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Phulparas P.S. Case N o. 71/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

From para 3 of bail petition it appears that other cases of Excise Act are pending against this petitioner.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge in such type of activity in future. In the event, he is found indulged in such type of activity, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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