

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80209 of 2018

Arising Out of PS. Case No.-275 Year-2018 Thana- BAUSI District- Purnia

Vijay Kumar Son of Chandeshwari Yadav, resident of Village Simarwani
Bhargama, Police Station Araria, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Thakur

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 07-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Special Excise Case No.1078 of 2018 arising out of Baisi P.S. Case No. 275 of 2018 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 131.4 litres foreign liquor from a car which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner has no criminal antecedent and he is in custody since 30.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Purnia in connection with Special Excise Case No.1078 of 2018 arising out of Baisi P.S. Case No. 275 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

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

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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