

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78429 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- GHOGHARDIHA District- Madhubani

Hari Kisun Thakur, S/o Late Siyaram Thakur, resident of Village- Chikna, P.S.
Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Sri Ram Sevak Choudhary (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Ghoghordiha P.S. Case No. 99 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 351 liters of Nepali country made liquor from Bathan of the petitioner which was illegally being sold and he was apprehended by the police along with co-accused Santosh Kumar Yadav.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. It has been submitted that



Santosh Kumar Yadav has confessed that illicit liquor belongs to him which was kept in the Bathan of the petitioner. Petitioner has no criminal antecedent and is in custody since 20.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Madhubani, in connection with Ghoghardiha P.S. Case No. 99 of 2018, subject to 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 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 bonds.

(S. Kumar, J)

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