

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58687 of 2019

Arising Out of PS. Case No.-206 Year-2019 Thana- MANJHI District- Saran

Ganesh Sah @ Ganesh Kumar Sah S/o Sri Parsuram Sah R/o Village- Tajpur
Fulwariya, P.S.- Manjhi, District- Saran ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr.Damodar Pd Tiwary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner as well

learned counsel for the State and perused the case diary.

Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 30,30(2)/38 (i) (ii) of
the Bihar Prohibition and Excise Act, 2016.

It is alleged that on seeing police party, two
miscreants fled away leaving a motorcycle carrying 70.200
liters Foreign liquor. Chaukidar disclosed that one of the
miscreants who fled away from the scene of occurrence was the
petitioner.

Learned counsel for the petitioner submits that the
petitioner is in fact a student and he has falsely been implicated
in this case. Petitioner is neither owner of the vehicle nor he is
concerned with the said recovery. Petitioner has got no criminal
antecedent.



In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, 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 (Excise Act), Saran at Chapra in Manjhi Police Station Case No. 206 of 2019, 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 on 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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