

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68044 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

KASHI BIND @ KASHINATH BIN S/o Late Sahdeo Bind R/o village-
Akhowripur Gola, P.S.- Buxar (Muffasil), Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

Prosecution case is that while the informant along
with other police personnel on 05.07.2019 going for gusty duty
and when they reached Chousa Bazar in the meantime, he got a
secret information that in village Akhouripur one Kashi Bind,
has concealed heavy quantity of illegal wine for business
purpose. After verification of that information, they are reached
there. Seeing the police several villagers reached there. On
appearance of two independent witnesses, police reached the
house of Kashi Bind and recovered 98 cartoons in one room and



52 cartoons in another room and in one jute bag, 100 piece of 180ml foreign liquor total 1314 litres were recovered in his house. On appearance of two independent witnesses, police has prepared the seizure list.

It has been submitted on behalf of the petitioner that there is no recovery from the conscious possession of the petitioner rather liquor has been recovered from the joint house of the petitioner and other family members. He submits that petitioner has one criminal antecedent in similar offence and he is languishing in judicial custody since 06.07.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-I and cum-Special Judge Excise Act, Buxar in connection with Buxar (Muffasil) Police Station Case No. 191 of 2019, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner shall remain physically present in



court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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