

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78269 of 2018

Arising Out of PS. Case No.-316 Year-2018 Thana- PALASI District- Araria

Md. Arsad son of late Mosim, resident of village- Barhat, P.S.- Palasi,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Sri Humayou Ahmad Khan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Palasi P.S. Case No. 316 of 2018, Special Case
No. 1441 of 2018, registered for the offences punishable under
Sections 30 (a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 18 liters of Nepali liquor
from a motorcycle which was driven by the petitioner.

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 on the basis of suspicion. Nothing
has been recovered from the possession of the petitioner.
Petitioner has no criminal antecedent and is in custody since
16.11.2018.



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 2nd Additional Sessions Judge-cum-Special Judge, Araria, in connection with Palasi P.S. Case No. 316 of 2018, special Case No. 1441 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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