

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70738 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- SURSAND District- Sitamarhi

Vikram Kumar Son of Talewar Rai Resident of Village - Sunderpur, P.S.-
Sursand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Sursand P.S. Case No. 308 of 2019**, registered for the offence punishable under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

18 litres of Nepali Saufi wine is alleged to have been recovered from a bag which was loaded on the motorcycle of petitioner.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this petitioner. There is no compliance of provision of section 100 Cr.P.C. Petitioner is in custody since 24.08.2019 having clean antecedent.



Having considered the fact that small quantity of liquor has been recovered and petitioner has got clean antecedent, the petitioner above-named, is directed to be enlarged 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 learned **2nd Additional Sessions Judge-cum-Special Judge Excise Act, Sitamarhi** in connection with **Sursand P.S. Case No. 308 of 2019**, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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