

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79034 of 2018

Arising Out of PS. Case No.-184 Year-2018 Thana- MUFFASIL District- Aurangabad

Shailesh Kumar S/o Kamlesh Yadav R/vill-Chhoaki Bela, P.S-Mufasil
Aurangabad, Distt.-Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari, Adv.

For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh (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 Aurangabad Muffasail P.S. Case No. 184 of 2018 (CIS No. 1028 of 2018) registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 468 liters of illicit foreign liquor from one Discover motorcycle and Tata 407. Allegation against petitioner is that he was unloading the illicit liquor from pick-up van and keeping them in the bush.

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. Petitioner is a labourer and was



engaged on payment for unloading the goods and was not aware that the cartoons contains illicit liquor. He has no criminal antecedent and is in custody since 23.10.2018.

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 Sessions Judge VII-cum-special Judge Excise Act, Aurangabad , in connection with Aurangabad Muffasil P.S. Case No. 184 of 2018 (CIS No. 1028 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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