

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1329 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Kari Kumar, son of Indrakant Rai, Resident of village- Rampur, P.s. Bakhari,
District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Cheriya Bariarpur P.S. Case**
No. 212 of 2018 registered for the offence punishable under
Section 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 238.38 litre of foreign
liquor from the house of Bablu Ishwar, where petitioner was
also present.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. Nothing
has been recovered from the possession of the petitioner.
Petitioner is in custody since 16.11.2018.

Considering the fact that petitioner is having criminal
antecedent, I am not inclined to enlarge the petitioner on bail at
this stage. Hence, the prayer for bail of the petitioner is hereby



rejected.

However, it is observed that the petitioner named above be released on bail **after completing three months of jail custody by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-II, Begusarai cum Special Judge,** in connection with **Cheriya Bariarpur P.S. Case No. 212 of 2018,** with following 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 properly 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 bond.

(S. Kumar, J)

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