

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68783 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- HARLAKHI District- Madhubani

SHAMBHU KUMAR Son of Ram Baran Das Resident of Village - Pipraun,
P.S.- Harlakhi, Distt - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-12-2019

Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 585 litres of illicit liquor from the vehicle in which petitioner was travelling.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Petitioner has no concern with the seized BOLERO vehicle. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 24.10.2019 passed in Criminal Miscellaneous No. 64993 of 2019. Petitioner has got no criminal antecedent and is in custody



since 15.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Harlakhi P.S. Case No. 195 of 2019**, 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 and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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.

(S. Kumar, J)

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