

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77644 of 2018

Arising Out of PS. Case No.-572 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

Lal Babu Kushwaha S/o Ram Ashish Kushwaha @ Ram Ashish Mahto, R/o
Vill.- Dipahi, P.S.- Cheraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate
For the Opposite Party/s : Smt. Veena Rani Prasad (APP)

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Excise Case No. 572 of 2018 registered for
the offences punishable under Sections 30 of Bihar Prohibition
and Excise Act, 2016.

Allegation against petitioner is recovery of 576
liters of Nepali liquor from the vehicle which was being driven
by the petitioner and he was caught after chase while fleeing
away from the said vehicle.

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 was arrested on



suspicion and he was sitting on the said vehicle as a passenger and was not aware that illicit liquor is kept on said vehicle. Petitioner is in custody since 16.10.2018.

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 Special Judge Excise Act, Motihari, in connection with Excise Case No. 572 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)

Rajiv/-

U		T	
---	--	---	--

