

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74584 of 2019

Arising Out of PS. Case No.-266 Year-2019 Thana- BARHARIA District- Siwan

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MUKESH RAM Son of Jaleshwar Ram Resident of Village- Girdharpur, P.S.-
Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 05.08.2019 in connection with Barharia P.S. Case No. 266 of 2019 for the alleged offences under Sections 272, 273, 308 and 34 of the Indian Penal Code and Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with the recovery of about 3000 litres of foreign liquor. The petitioner is said to be *khalasi* of the truck. The driver of the said truck was directed to be released on bail by this Court in Cr. Misc. No. 79149 of 2019 after framing of charges. A statement is made at the Bar that charges have now been framed. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the period of custody already suffered since 05.08.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs.



10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Siwan in connection with Barharia P.S.Case No. 266 of 2019, on the following conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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