

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72120 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- WARISLIGANJ District- Nawada

DAMODAR KUMAR, Son of Bishnudeo Yadav, Resident of Village -
Hirma Bigha (Mafi), P.S- Warsaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-12-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant who is a police officer has alleged that he received a confidential information that Abhishek Ranjan @ Chotelal is carrying illicit liquor kept concealed beneath sand on a tailer of a tractor and on receiving said information, as he reached near the tractor, two persons sitting on the tractor fled away and the villagers and local Chowkidars disclosed their name as Abhishek Ranjan @ Chotelal and unknown driver of the tractor and thereafter from said tractor 720 litres of foreign liquor was recovered.

It has been submitted on behalf of the petitioner that



he is not named in the FIR, nor he has been arrested on the spot, nor anything has been recovered from his possession. It has further been submitted that petitioner is not the driver of the tractor. Petitioner has no criminal antecedent and he is in custody since 06.09.2019.

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 Warsaliganj P.S. Case No.395/18, 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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