

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76118 of 2019

Arising Out of PS. Case No.-353 Year-2019 Thana- BIHIA District- Bhojpur

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BABU LAL SHAH Son of Late Dinanath Shah Resident of Village -
Majhauri, P.S.- Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-11-2019 Heard learned counsel for the parties.

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

Informant who is police officer in his written report has alleged that on 23.09.2019, while he was on patrolling duty two persons sitting on a Tempo after seeing the police party started fleeing away but one person was apprehended after chase and other managed to escape. The apprehended person disclosed his name as Babu Lal Sah and the person who fled away as Bira Yadav and from said Tempo 110 litres of illicit country made liquor was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on



mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent and is in custody since 24.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Excise Case No. 1932 of 2019 arising out of Bihiya P.S. Case No. 353 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.

(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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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