

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78641 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

MD. RASHID Son of Atibullah Resident of Village-Guawari, P.S.-Kundawa
Chainpur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-12-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and under Section 30(a)/41(I) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 300 bottles of 300 ml of Nepali Soufi Wine from the motorcycle of the petitioner. It is further alleged that 147 bottles of 300 ml was also recovered from a nearby ditch.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. 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. 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 **Kundwa Chainpur P.S. Case No. 150 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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