

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75503 of 2019

Arising Out of PS. Case No.-1245 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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Paltan Bhagat Son of Bhutta Bhagat, Resident of Village - Kolhua
Paigamberpur, P.S.- Ahiyapur, District – Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ahiyapur P.S. Case No. 1245 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and under Sections 30(a)/36/38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has no concern with the alleged recovered illicit liquor from the hutment and from possession of the petitioner it is alleged that 7.5 illicit liquor have been recovered. The petitioner is in custody since 17.10.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, where it is contention of learned counsel for the petitioner that



the illicit liquor has not been recovered from his house and he has no criminal antecedent as also he remained in custody since 17.10.2019, let the petitioner above named be released on bail in connection with Ahiyapur P.S. Case No. 1245 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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