

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77546 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Mohan Kumar, Son of Late Basudeo Mahto, Resident of Village- Shiv Nagar,
P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with P.R. No.211 of 2019, Special Case No.8934 of
2019 registered for the offence punishable under Sections 30(a),
32(i)(3), 41(1)(2) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case
for oblique and ulterior motive. Learned counsel submits that no
illicit liquor was recovered from the conscious possession of the
petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein the illicit liquor has not been recovered from the



possession of the petitioner and further that he is in custody since 08.10.2019 having no criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with P.R. No.211 of 2019, Special Case No.8934 of 2019, 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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