

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79256 of 2019

Arising Out of PS. Case No.-523 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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BHOLA KUMAR Son of Rudal Singh Resident of Village- Nechua Jalalpur,
P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Ms.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.10.2019 in connection with Gopalganj Town P.S. Case No. 523 of 2019 for the alleged offences under Section 414 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016, as amended in 2018 (hereinafter to be referred to as 'the Prohibition Act').

3. It is submitted that the petitioner has been falsely implicated in connection with the recovery of 120 litres of illegal wine. The name of the petitioner has surfaced on the confessional statement of the apprehended co-accused, except which, there is no objective material to connect the petitioner with the alleged offence. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the period of custody already suffered since 15.10.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned IInd Additional Sessions Judge-cum-Special Judge (Excise), Gopalganj in connection with Gopalganj P.S.Case No. 523 of 2019, on the following



conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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