

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78640 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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SUJIT KUMAR Son of Suresh Rai @ Suresh Ram Resident of Village -
Madhuvan, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

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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 Section 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

Informant who is police officer in his self statement stated that he received secret information that Umesh Rai is running the business of illicit liquor from his house. On receiving such information he along with other police personnel raided the house of Umesh Rai and on seeing the police party three persons present there started to flee away, however, one was apprehended who disclosed his name as Umesh Rai and two managed to escape. On the search of house of Umesh Rai his own brother and his nephew Sujit Kumar along with 7.995



ml of illicit foreign liquor were recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner has been remanded in this case on 23.08.2019 and since then he is in custody.

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 **Kanti P.S. Case No. 28 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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