

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78029 of 2018

Arising Out of PS. Case No.-221 Year-2018 Thana- HATHAURI District- Muzaffarpur

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Ashok Sah S/o Satrudhan Sah, R/o Vill.- Dakrama, P.S. -Hathauri, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 25-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Hathauri P.S. case No. 221 of 2018** registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant who is police officer has stated in his written report that he got secret information on 23.10.2018 that petitioner has kept liquor in Bhusar near his house and on such information he along with police force and SHO went in village and raided the house and after seeing the police one person (petitioner) standing near the carrier Tempo tried to flee away who was chased and apprehended. On search of the said Tempo 613.71 litre of foreign liquor was recovered.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case only on suspicion. It has been further submitted that the petitioner has no concern with the said Tempo. Petitioner has got no criminal antecedent and is in custody since 24.10.2018.

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 **Special Judge, Excise, Muzaffarpur**, in connection with **Hathauri P.S. case No. 221 of 2018**, 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.

(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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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