

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78839 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Brajesh Kumar, aged about 19 years, Gender-Male, Son of Ashok Mandal @
Ashok Kumar Mandal Resident of Village - Chhoti Mohanpur, P.S.- Ekchari,
District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Excise P.S. Case No. 162 of 2019 registered for
offences under sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per prosecution case, the police, during vehicle
checking at NH-80, stopped the motorcycle and recovered 52
litre of country made wine from the plastic bag which was kept
in the middle of the accused persons, namely, Brajesh Kumar,
the present petitioner and Pintu Kumar.

Looking to the facts and circumstances of the case, 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 Additional Sessions Judge-II cum Special Judge (Excise Act), Bhagalpur in connection with Excise P.S. Case No. 162 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Excise police station, Bhagalpur by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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