

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82604 of 2019

Arising Out of PS. Case No.-300 Year-2019 Thana- BANIAPUR District- Saran

Umesh Ram Son of Late Narsingh Ram Resident of Village - Nagdiha, P.S.-
Baniyapur, Distt.- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner apprehends his arrest in **Baniyapur P.S. Case No. 300 of 2019**, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

30 litres of country made liquor which was kept hidden in the Jarkin is alleged to have been recovered by the police near *Bandh*. Some of the accused persons fled away from the said place after seeing the police party.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has been falsely implicated in this case. Name of petitioner has come in this case on the statement of local Chowkidar. Nothing has been recovered from possession of the petitioner. Recovery has been made from open place which is accessible to general people. Petitioner has got no criminal antecedent.



Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **2nd Additional Sessions Judge-cum-Special Judge (Excise), Saran at Chapra** in connection with **Baniyapur P.S. Case No. 300 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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