

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77708 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- NAUHATTA District- Saharsa

Sentu Thakur @ Sent Thakur son of Sunil Thakur Resident of Village-
Muradpur,P.s. Nauhatta,Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Special (Excise) Case No.461 of 2018 arising out of Nauhatta P.S. Case No. 142 of 2018 registered for the offence punishable under Section 420, 467, 468, 471 and 120(B) of the I.P.C. and under Section 30(a), 38 (1) and 41(1) of the Bihar Prohibition & Excise Act, 2016.

The informant has alleged in the written report that on 05.09.2018 he got secret information about arrival of huge quantity of illicit liquor on a truck. He along with other police personnel raided the place and 1486.8 litres of foreign liquor was recovered from the truck and 864 litres foreign liquor was recovered in front of the house of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case.



Nothing has been recovered from his conscious possession. It has further been submitted that it would be apparent from the FIR the kingpin of foreign liquor is Rahual Jha who in conspiracy with the truck owner and the manager of the liquor company was indulged in the illegal trade of foreign liquor. Similarly placed co-accused Barun Kamat and another have already been granted bail by a co-ordinate Bench of this Court vide order dated 18.12.2018 passed in Cr. Misc. No.73173 of 2018. Petitioner has no criminal antecedent and he is in custody since 07.09.2018.

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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No.461 of 2018 arising out of Nauhatta P.S. Case No. 142 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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