

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78171 of 2018

Arising Out of PS. Case No.-159 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Laxman Kumar S/o Gopal Yadav, R/o Vill.- Babu Nagar, Balauni, Ward No. 24, P.S. + District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Ms. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Excise Case No. 159/ 2018 registered for the offence punishable under Sections 30(a) and 38 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 224.60 litres country-made liquor from a vehicle which was being boarded by three accused persons including the petitioner. However, two accused persons managed to flee away but the petitioner was apprehended.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner is driver of the said vehicle and he has no concern with the alleged recovered liquor.



Petitioner has no criminal antecedent and he 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 II Additional District and Sessions Judge-cum-Special Judge, Excise Act, Bhagalpur in connection with Excise Case No. 159/ 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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