

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78744 of 2018

Arising Out of PS. Case No.-210 Year-2018 Thana- HARLAKHI District- Madhubani

Sadhu Sada Son of Ghuran Sada resident of village-Madhubani Tol, P.S.- Harlakhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr.Sri Ashok Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Harlakhi P.S. Case No. 210 of 2018 (G.R. No. 1384 of 2018) registered for the offences punishable under Sections 272, 273 of the Indian Penal code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 219 liters of Nepali saufi from possession of petitioner and other co-accused while they were coming to India after crossing Nepal with illicit liquor in the bag and on seeing the police they threw the bag and tried to flee away. However, petitioner was arrested and remaining accused managed to escape.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is in custody since 22.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Harlakhi P.S. Case No. 210 of 2018 (G.R. No. 1384 of 2018), subject to 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 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 bonds.

(S. Kumar, J)

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