

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78892 of 2018

Arising Out of PS. Case No.-712 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Basudeo Prasad Nirala Son of Mahendra Sah Resident of Village -Nurpur,
P.S.- Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sri Dilip Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 712 of 2018 registered for the offences punishable under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged that on secret information he raided the house of petitioner and recovered 27.750 liters of foreign liquor.

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. The alleged liquor has been recovered from the joint house wherein petitioner and his agate used to live. Petitioner has no criminal antecedent and is in



custody since 27.11.2018.

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 I/c 2nd Additional District & Sessions Judge-cum- Special Judge, Excise, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 712 of 2018 corresponding to G.R. No. 6374 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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