

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.79434 of 2018**

Arising Out of PS. Case No.-134 Year-2018 Thana- KALYANPUR District- Samastipur

Sunil Ray son of Modi Ray Resident of Village-Jakhara P.S.- Kalyanpur,  
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

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

Petitioner seeks bail in Kalyanpur P.S. Case No.134 of 2018 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and under Sections 30(a) and 38 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 107.55 litres foreign liquor from the *Bhuskar* of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner was not apprehend on the spot. Similarly placed co-accused has already been granted bail as contained in Annexure-2. Petitioner is in custody since 08.10.2018.

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 Additional Sessions Judge III-cum-Special Judge (Excise), Samastipur, in connection with Kalyanpur P.S. Case No.134 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)**

Sanjay/-

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