

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84882 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- JAMHOR District- Aurangabad

RAJESH BHUIYAN S/o Tetar Bhuiyan Resident of Village- More Dihri,
Bhuiyan Bigha, P.S.- Jamhore, Distt- Auranagabad (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking regular bail in connection with Jamhore P.S. Case No. 109 of 2019 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the alleged recovery of illicit liquor has been made from a joint house of this petitioner and his brother and the petitioner has no concern with the alleged recovered illicit liquor. It is further submitted that the petitioner is in custody since 01.10.2019 having clean antecedent.

Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case wherein the illicit liquor is said to have been recovered from the house of brother of this petitioner, there being a joint house in which the petitioner is also residing has been made accused in this case, he



is in custody since 01.10.2019, the investigation has been completed and cahrgesheet filed, let the petitioner above named be released on bail in connection with Jamhore P.S. Case No. 109 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Judge, Excise, Aurangabad, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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