

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.690 of 2020

Arising Out of PS. Case No.-45 Year-2017 Thana- BISHWAMBHARPUR District-
Gopalganj

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SUNIL KUMAR @ SUNIL SAH Son of Rameshwar Prasad Gupta @
Rameshwar Sah Resident of Village - Lalu Chhapra Pakauli Urf Lalu
Chhapra, P.S.- Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273 and 420 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
& Excise Act, 2016.

Allegation is recovery of 134.28 litres wine from a
tempo.

It has been submitted on behalf of the petitioner that
petitioner was neither apprehended on the spot nor any illicit
liquor has been recovered from his possession and he has been
implicated in this case on the basis of confessional statement
made by co-accused Raushan Prasad Shahi. Petitioner has got
no criminal antecedent and is in custody since 27.11.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Vishambharpur P.S. Case No.45/2017, GR. No.1597 of 2017 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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