

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1743 of 2020

Arising Out of PS. Case No.-47 Year-2018 Thana- JADOPUR District- Gopalganj

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Bittu Kumar @ Bittu Sah, Son of Nagendra Sah, Resident of Village-
Karariya, P.S.- Gopalganj Town, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Yadavpur P.S. Case No. 47 of 2018, G.R. No. 3991 of 2018 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that no illicit liquor has been recovered from the conscious possession of this petitioner.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case,



wherein it is the submission of learned counsel for the petitioner that his name has transpired as the person who was purchasing the illicit liquor, however, the petitioner had tried in the present case having no criminal antecedent and the co-accused have been granted privilege of anticipatory bail vide Cr. Misc. No. 54124 of 2018, let on completion of statutory period of investigation the petitioner above named be released on bail in connection with Yadavpur P.S. Case No. 47 of 2018, G.R. No. 3991 of 2018 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 District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, 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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