

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4212 of 2020

Arising Out of PS. Case No.-95 Year-2019 Thana- DEODHA District- Madhubani

Ajit Thakur Son of Umashankar Thakur Resident of Village - Shilanath, P.S.-
Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Arbind Kumar Pandey(APP 84)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Deodha P.S. Case No. 95 of 2019 G.R. No. 1262 of 2019**, registered for the offence punishable under Sections Sections 272, 273 and 290 of the Indian Penal Code and sections 30(a), 37(B) of the Bihar Prohibition and Excise Act, 2016.

18 litres of Nepali country made liquor is alleged to have been recovered from a bag lying on a railway track, which is said to have been thrown by this petitioner.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. The provision of section 100 Cr.P.C has not been followed. Petitioner claims clean antecedent. Petitioner is in



custody since 12.07.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **2nd Additional Sessions Judge -cum-Special Judge Excise Act, Madhubani** in connection with **Deodha P.S. Case No. 95 of 2019 G.R. No. 1262 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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