

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71238 of 2019

Arising Out of PS. Case No.-155 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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BIBEK DAS @ VIVEK DAS @ VIVEK KUMAR DAS Son of Mahendara
Das @ Mahendar Das Resident of Village - Birnama Tola, P.S.- Angarghat,
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lal Babu Singh
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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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
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Muffasil P.S. Case No. 155 of 2018
registered under Sections 30, 36, 38, 41, 47 of the Bihar
Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the
alleged illicit liquor has been recovered along with motorcycle
with the co-accused Manish Kumar. Learned counsel submits
that the allegation against the petitioner is that he had fled away
on seeing the police party, petitioner has no criminal antecedent
and he has remain in custody since 27.08.2019.

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 the alleged illicit liquor has been recovered along with motorcycle with the co-accused Manish Kumar, the allegation against the petitioner is that he had fled away on seeing the police party but it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated and has no criminal antecedent, he has remain in custody since 27.08.2019, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II - cum – Special Judge, Excise, Samastipur, in connection with Muffasil P.S. Case No. 155 of 2018, 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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