

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72769 of 2019

Arising Out of PS. Case No.-220 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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BHIM VISHWAKARMA Son of Ramchandra Mistri R/o- Shahpur Nawab
Gali, Ward No.14, P.S.- Town, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Excise Act.

Allegation is recovery of 93 litres of country made
liquor from the tempo of the petitioner which was found in
abandoned condition.

It has been submitted on behalf of the petitioner that
he had purchased the tempo for commercial use but same got
breakdown and thereafter it was left in abandoned condition
half kilometre away from his house and same was misused by
unsocial elements. It has further been submitted that neither



petitioner has been apprehended on the spot nor any illicit liquor has been recovered from his conscious possession. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on 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 Town P.S. Case No.220/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C 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)

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