

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80885 of 2019

Arising Out of PS. Case No.-243 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

HARE KRISHNA SINGH s/o Shiv Janam Singh r/o Village Bhagwatipur, PS
Udwant Nagar, District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 30(A) and 30(D) of the Bihar Prohibition and Excise Act, 2018.

Informant who is police officer has alleged that on 26.06.2019 he received confidential information of preparation of illicit liquor and he raided the place then miscreants assembled there started fleeing away, however, two of them Kamakhya Yadav and Shiv Mangal Yadav were apprehended on the spot and the remaining 24 accused managed to escape who were identified by the Chowkidar which included petitioner also. 70 litres of illicit country made liquor were seized.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



animosity and village rivalry. It has been further submitted that petitioner was neither apprehended on the spot nor illicit liquor has been recovered from his possession. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 27.11.2019 passed in Criminal Miscellaneous No. 77265 of 2019. Petitioner has got no criminal antecedent and is in custody since 22.10.2019.

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 **Udwant Nagar P.S. Case No. 243 of 2019(Bhojpur)**, 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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