

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78526 of 2019

Arising Out of PS. Case No.-645 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

MD. KAMRUDDIN S/O- Ali Muhammad Resident of Village - Sekhauna
Ward No. 21, P.S. - Bairganja, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-01-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Case No. C2/645/19, disclosing the offence under Section 30(a) of Bihar Prohibition and Excise Act.

The petitioner is in custody since 11.10.2019. It is alleged that the petitioner and others were carrying huge quantity of illicit liquor from Nepal to India when they were intercepted by the SSB personnel.

Learned counsel for the petitioner has submitted with reference to the statement of the petitioner recorded in presence of an officer of the SSB that from his possession 27 litres of illicit liquor was recovered. He has submitted that, for the first time, the petitioner has been made accused in a case of this



nature.

Considering the facts and circumstances, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ADJ II cum Special Judge, Excise Act, Sitamarhi in Case No. C2/645/19.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is, however, made clear that if the petitioner is found indulging in such offence in future, the prosecution shall be at liberty to apply for cancellation of bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J)

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