

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84994 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- GUTHANI District- Siwan

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Brij Kishore Rajbhar @ Brij Kishore Bhar, (Male), aged about 45 years, Son of late Mosafir Rajbhar, Resident of Village + Post office - Chittakhal, P.S.- Guthani, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari, Adv.
For the Opposite Party/s : Mr.Ashraf Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 30(a) and 37(c) of Bihar Prohibition & Excise Act, 2018.

Allegation is recovery of 40 liters of country made illicit liquor from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing was recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and is in custody since 17.10.2019.

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/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge Excise, Siwan, in connection with Guthani P.S. Case No. 165 of 2019, subject to 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 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 bonds.

(S. Kumar, J)

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