

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85895 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- BAKHTIARPUR District- Saharsa

Mithun Kumar, S/o Ram Dular Paswan, Resident of Village- Pasrwar, P.S.-
Sour Mahishi, Distt- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishit Deo Kumar Singh

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Bakhtiyarpur P.S. Case No.387 of 2019 corresponding to Special (Excise) Case No.492 of 2019 registered for the offence punishable under Sections 30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing has been recovered from the conscious possession of this petitioner.

Learned APP 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 15 liters of country made liquor has been recovered from a



motorcycle which does not belong to this petitioner and further submission that the petitioner has no criminal antecedent and he is in judicial custody since 08.10.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Saharsa in connection with Bakhtiyapur P.S. Case No.387 of 2019 corresponding to Special (Excise) Case No.492 of 2019, 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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