

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85353 of 2019

Arising Out of PS. Case No.-986 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Dina Kumar, Son of Surendra Ram, Resident of Village- Jivdhara, Harijan
Toli, P.S.- Pipra Kothi, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Excise Case No. 986 of 2019 registered for the
offences punishable under Section 30(a) 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 there is no recovery from the conscious
possession of the petitioner.

Learned A.P.P. for the State 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



the illicit liquor has been recovered from a hut which does not belong to the petitioner but has been shown near the hut of the petitioner and has been wrongly shown in the possession of this petitioner and that the petitioner has no criminal antecedent, let the petitioner above named be released on bail on completion of three months of the custody in connection with Excise Case No. 986 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IXth-cum-Special Judge, Excise, East Champaran, Motihari, 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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