

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86466 of 2019

Arising Out of PS. Case No.-890 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Riki Kumar Kamti @ Riki Kamti, Age 36 years, Male, S/o Dev Narayan Kamti Resident of Village- Gurudwara Road, P.S.- Sahayak, Dhajanchi, Distt- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Khajanchi Hat (Maranga) P.S. Case No. 890 of 2019 registered for offences under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the police intercepted a vehicle from which 1029 litre of foreign liquor have been recovered.

Learned counsel for the petitioner submits that the petitioner is neither the owner of the vehicle nor the owner of seized material rather he was just abiding the order of his master by way of plying the vehicle.

The petitioner has got no criminal antecedent and is



languishing in judicial custody since 06.12.2019.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned additional Sessions Judge-II cum Special Judge (Excise), Purnia in connection with K. Hat (Maranga) P.S. Case No. 890 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the K. Hat (Maranga) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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