

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70872 of 2021

Arising Out of PS. Case No.-411 Year-2021 Thana- KHAIRA District- Jamui

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Tinku Ram, S/o Birju Ram R/o village- Kolhua, P.S.- Khaira, Distt.- Jamui
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Raj, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-05-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Khaira P.S. Case No.411 of 2011 instituted under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) and 37(b)(c) of Bihar Prohibition and Excise Act.

As per the FIR, the police upon information that the petitioner sales and serves liquor to the people surrounded his house and recovered/seized amongst other from this petitioner five liters of countrymade liquor.

Learned counsel for the petitioner submits that due to village politics the petitioner has been falsely implicated by the police for which he has remained in custody since 13.11.2021 (as stated in para-10 of the bail application). He has further



submits that save and except a case registered against him of the same nature, he do not have any further case lodged against him.

Considering the fact that charge sheet stands submitted and petitioner is in custody since 13.11.2021, this Court is inclined to grant him privilege of bail with certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Khaira P.S. Case No.411 of 2011 to the satisfaction of learned Additional District & Sessions Judge, IInd, Jamui, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

Before parting, I would like to put on record my word of appreciation for Mr. Akash Raj, learned counsel appearing on behalf of the petitioner for the assistance rendered to this Court.

(Rajiv Roy, J)

Prakash Narayan /-

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