

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49059 of 2015**

Arising Out of PS.Case No. -110 Year- 2015 Thana -THAWE District- GOPALGANJ

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Kaushar Hussain, Son of Babuddin Mia, resident of village- Jaltolia (Lakdi Dargah), P.S.- Barharia, District- Siwan.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md . Ansural Haque, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2      24-11-2015                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State.

This application for grant of regular bail arises out of Thawe P.S. Case No. 110 of 2015, disclosing offences under Sections 272, 273 and 420 of the Indian Penal Code and 47(a) of Bihar Excise Act.

It is submitted on behalf of the petitioner that he is in custody since 14.09.2015 and has never been made accused at any earlier occasion in a case under Section 47(a) of the Bihar Excise Act. He submits that there is no chance of petitioner tampering with the evidence in the facts and circumstances of the case and the nature of accusation.

In view of the submission as above, this application is

allowed.

Let the petitioner, above-named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 110 of 2015.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

Subject to other condition that if the petitioner is made an accused in any case of cognizable offence, the prosecution shall be at liberty to approach this Court for cancellation of his bail granted by virtue of the present order.

**(Chakradhari Sharan Singh, J)**

Vats/-

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