

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22823 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -PHULWARI District- PATNA

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1. Pramod Paswan S/o Baij Nath Paswan, R/v- Kumarwa, P.S.- Barachatti,
Distt.- Gaya.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Madhura Nand Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-05-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Phulwarisharif (Janipur) P.S. Case No. 86 of 2016 registered for
the offences punishable under Sections 272, 273, 290 of the
Indian Penal Code and Section 47 (a) of Excise Act.

Allegedly, from Tata 407 vehicle which was being
driven by the petitioner 108 bags of Mahua each containing 40 kg.
was recovered and the petitioner disclosed that the recovered
Mahua was of Golu Kumar and Ajay Kumar who used to do the
business of Mahua.

Submission is of false implication and that the
petitioner is the poor driver and without any fault he is suffering in
custody since 14.03.2016 having clean antecedent, chargesheet
has already been submitted and there is no chance of tampering

with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Miss Shema Eram, J. M. Ist Class, Patna in connection with Phulwarisharif (Janipur) P.S. Case No. 86 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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