

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54528 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -DORIGANJ District- SARAN

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Vijay Singh Kushwaha, Son of Sri Raghu Natha Singh Kushwaha, resident
of Village- Mirpur, Dighwara, P.S.- Dighwara, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate

For the Opposite Party : Mr. Sri Harendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Doriganj
P.S Case No. 145 of 2016 (G.R. No. 6923 of 2016) registered for
the offences punishable under Sections 272, 273 of the Indian
Penal Code and Section 30 of Prohibition of Bihar Excise Act,
2016.

Allegedly, from the tempo of the petitioner 80 liters
of country made liquor kept in 4 bags were recovered and the
petitioner stated that for hiring he was paid Rs. 500/- per day by
Rakesh Singh.

Submission is of false implication and from perusal
of seizure list it reveals that seizure list has been prepared after



registration of the case it was not prepared at the spot and in this manufactured case, the petitioner is suffering in custody since 01.11.2016.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.-VII, Saran, in connection with Doriganj P.S. Case No. 145 of 2016 (G.R. No. 6923 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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