

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5153 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhurendra Paswan, S/o Rambaboo Paswan, R/o Panditpur, P.S.-
Pakarideyal Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioner is in custody since 27.11.2016 in connection with Pakaridayal P.S. Case No. 169 of 2016, registered for offences punishable under Section 30 of Bihar Excise Act, 2016.

Allegation is of recovery of 20 bottles of foreign liquor, each containing 180 ML.

It has been submitted on behalf of the petitioner that though there is allegation of recovery of 20 bottles each containing 180 ML, however the same has not been recovered from the conscious possession of the petitioner rather it was recovered from an orchard. The petitioner has been in judicial custody since 27.11.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and period of custody, and also that the petitioner has no criminal antecedent, let the



petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with Pakaridayal P.S. Case No. 169/2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear if the petitioner again found involved in any of the such offence, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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