

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4409 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -DARAUNDHA District- SIWAN

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Tarkeshwar Pasi @ Tiwari S/o Late Sheojee Pasi Resident of Village-
Bagura, P.S.- Daraundha, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar Shrivastava, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.12.2016 in connection with Daraundha P.S. Case No. 189 of 2016 for the offences alleged under Sections 272, 273, 380 and 34 of the Indian Penal Code and Sections 30 and 38 of the Bihar Excise (Amendment) Act, 2016. 3.

3. It is submitted that the petitioner has been falsely implicated as recovery of only 5 litres of country made liquor (Mahua) from his possession which is denied. Petitioner has already suffered custody for about two months.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate XI, Siwan in connection with Daraundha P.S. Case No. 189 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar



offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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