

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19256 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Dilip Kumar Son of Shambhu Paswan, Resident of village - Shyampur, P.S.
Adapur, Distt. - East Champaran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar

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

ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chhauradano
(Mohuawa) P.S. Case No. 07 of 2017 registered for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Allegedly, three persons were coming from Nepal to
India with liquor but seeing the police two persons out of three
fled away due to darkness and the petitioner was apprehended by
the Police and total 321 bottles each containing 300 ml. Nepali
country made liquor were recovered.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner. As a
matter of fact the liquor does not belong to the petitioner, real



culprits fled away and the petitioner was caught only on suspicion. He is a labour and was returning from Nepal after labour work but the Police caught him and remanded in this case. The petitioner is suffering in custody since 12.01.2017, 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, considering the period of detention, 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 the learned S.D.J.M., Raxual at Motihari in connection with Chhauradano (Mahuawa) P.S. Case No. 07 of 2017, 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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