

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49076 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -MAIRWA District- SIWAN

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1. Sanjay Tiwari S/o Amarnath Tiwari, R/o Village- Jalalpur, P.S.-
Daraunda, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Makirwa P.S.Case No.145 of 2017 registered for offences
punishable under Sections 272, 273, 308 and 34 and Section 30(a)
and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of
43.200 ml. ltrs. of English liquor from the motorcycle and the
petitioner was arrested on chase.

Submission of the learned counsel for the petitioner is
that it is alleged that two persons were travelling on the
motorcycle and the petitioner has been arrested only on the basis
of suspicion and he is in custody for more than 3 ½ months as well
he has no criminal antecedent.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge, 2nd, Siwan in connection with Mariwa P.S.Case No.145 of 2017.

With 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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reason, his bail bond shall be cancelled.
- (iv) If his active participation is found in such type of cases in future, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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