

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55083 of 2017

Arising out of P.S. Case No.-615 Year-2017 Thana- NAWADA
District- Nawada

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Pawan Kumar S/o Kishun Prasad Yadav, R/o Village- Rajamba,
P.S.- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s: Mr. Chandra Bhushan Prasad, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case registered for
offences under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

It is contended that, as per allegation, huge amount
of country made liquor was recovered from a Maruti Zen and
the persons occupying the Maruti Zen had escaped from the
spot, however, the petitioner, who had also allegedly tried to
escape from the motorcycle seeing the raiding police party,
was apprehended on chase by the police. Allegedly,



830 pouches each containing 200 ml of Jharkhand made spiced country made liquor was recovered from the dickey of the Maruti Zen whereas 170 pouches each containing 200 ml of Jharkhand made spiced country made liquor was recovered from the motorcycle but nothing has been recovered from the conscious possession of the petitioner. It is further contended that the petitioner has no connection with the recovery made from the Maruti Zen. It is urged that the petitioner has remained in custody since 13.09.2017, i.e., for about two and half months. However, it is informed that the petitioner is involved in two other cases also but not under Excise Act.

Considering the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge-II-cum-Special Judge, Excise, Nawada in connection with Nawada Town P.S. Case No. 615 of 2017 with a condition that one of the bailors must be his father. with a further condition that one of the bailors of the petitioner(s) must be the close relative or his family member, who will file affidavit before



the court below giving full genealogy showing his or her relationship with the petitioner. Further, if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

In view of the antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Nawada within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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