

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13639 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Lal Babu Pasi S/o Late Gulab Chand Pasi Resident of Khajurbani, Ward
no.-25, P.S.-Gopalganj, Distt. Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Gopalganj Town P.S.Case No. 348 of 2016 registered for the
offences punishable under Sections 328, 304, 120B of the Indian
Penal Code, 50 (A) (B) (C) of Excise Act of Bihar Prohibition and
Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that
there is alleged recovery of 45 litres of Mahua wine and petitioner
has no criminal antecedent and remained in custody for seven
months and other co-accused having similar allegation have been
granted bail by this Court in Cr.Misc. Nos. 11828, 11224 and
6386, all of 2017, vide orders dated 15.3.2017, 16.3.2017 and
20.2.2017 respectively.

Heard learned APP also.

Having heard both sides and in view of the fact that
petitioner has clean antecedent and remained in custody for seven
months, let the petitioner, above named, be released 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 the Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S.Case No. 348 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) 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 reason, the prosecution is free to move for cancellation of his bail.
- (iv) If petitioner is indulged in such type of cases in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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