

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21447 of 2017**

Arising Out of PS.Case No. -42 Year- 2017 Thana -KESARIA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Surendra Paswan Son of Sakhichan Paswan Resident of Village-  
Baisakhwa, P.S. Kesaria, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      19-06-2017                      The petitioner is in custody since 06.03.2017 in connection with Kesariya P.S. Case No. 42 of 2017, registered for offences punishable under Sections 272, 273 and 290 of Indian Penal Code and Section 37(a)(b)(c)(d) of Bihar Excise Amendment Act, 2016.

Allegation is of recovery of 115 litres of toddy from the petitioner.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case. Moreover, petitioner has sufficiently been punished for the said offence as he has remained in judicial custody for more than three months and has no criminal antecedent and is ready to abide by any condition imposed on him for grant of bail.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence, period of custody and also that petitioner has no criminal antecedent and has remained in custody for more than three months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Kesariya P.S. Case No. 42 of 2017.

It is made clear if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

**(Vinod Kumar Sinha, J)**

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