

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25463 of 2017

Arising out of PS.Case No. -214 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

Prabhat Paswan Son of Lakhan Paswan, Resident of Village- Khateria,
Police Station- Dobhi, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 08-06-2017 Heard Shri Raghunandan Kumar Singh, the learned
advocate for the petitioner and learned APP for the State.

The petitioner is seeking regular bail in connection with Sasaram (M) P.S. Case No. 214 of 2017 for the offences alleged under Sections 30(a), 38(1) (2), 41 (1) (2) of the Bihar Prohibition and Excise Act, 2016 and section 33, 41 and 42 of the Indian Forest Act, 1927.

Learned counsel for the petitioner referring to the First Information Report would submit that the petitioner is not named in the FIR and the liquor in question has not been seized from his possession. He has got clean antecedent and has been falsely implicated in the present case. He would also submit that the co-accused Guddu Sonkar @ Guddu Prasad Sonkar has been granted regular bail by a coordinate Bench of this Court vide order dated 10.5.2017 passed in Criminal Misc. No. 21932 of 2017.



The learned APP opposed the prayer for bail.

Considering the nature of allegation and that a coordinate Bench of this Court had granted bail to the accused, let the petitioner, namely, Prabhat Paswan be released on bail on completion of three months custody upon furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 214 of 2017; subject to the 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; and
- (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 reasons, the prosecution is free to move for cancellation of his bail.

S.Sb/-

(Rajeev Ranjan Prasad, J)

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