

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44314 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAIRWA District- SIWAN

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Kashi Jaiswal, son of Late Baidyanath Prasad, R/o Village- Nayee Bazar,
P.S.- Mairwa, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Mairwa
P.S.Case No. 46 of 2017 registered for the offences punishable
under Sections 272, 273, 308, 420/34 of the Indian Penal Code
and 30(A), 37(B), 38(A), 38(B), 41(i) of Bihar Excise Act.

Allegation is of recovery of 151 litres of English wine.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and nothing has been
recovered from his possession, rather recovery has been made
from rented godown of the petition. Further submission is that he
has not been arrested at the spot and he is in custody since
18.7.2017 having no criminal antecedent.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances, let 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Siwan, in connection with Mairwa P.S.Case No. 46 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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