

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12801 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -AMBA District- AURANGABAD

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Chandan Kumar, son of Rajendra Paswan, resident of Village
Ramabansh, P.S. Nagar Aurangabad, District Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.01.2017 in
connection with Amba P.S. Case No. 12 of 2017 for the alleged
offences under Section 30(K) of the Bihar Excise Act.

3. It is submitted that the petitioner has been falsely
implicated as he merely happens to be a passenger on the tempo
from which 1,000 pouches each containing 200 ml. of wine is said
to have been recovered. The petitioner is neither the owner nor
the driver of the tempo. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and
circumstances of the case as well as the period of custody since
25.01.2017 already suffered, let the petitioner above named be
released on bail on furnishing bail bond of Rs.10,000/-(ten



thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 12 of 2017 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/lbrar

(Vikash Jain, J)

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