

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60571 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

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Pawan Kumar Gupta Son of Ashok Gupta, Resident of Village-Khajuraha
(Bhore), P.S. - Bhore, District-Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 28-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, who is in custody since 11.03.2017, has renewed his prayer for bail in connection with Phulwaria P.S. Case No. 50 of 2017 for the offences alleged under Sections 272, 273, 420/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act having earlier been rejected by this Court by order dated 01.07.2017 in Cr. Misc. No. 24925 of 2017.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of 816 pieces of 180 ml. pouches of various quantity of wine from a vehicle. Recovery of the offending goods from the possession of the petitioner is denied.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 11.03.2017 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 2nd Additional Sessions Judge, Gopalganj in connection with Phulwaria P.S. Case No. 50 of 2017 with 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) 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.

Md. Ibrarul/BT

(Vikash Jain, J)

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