

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67577 of 2018

Arising Out of PS. Case No.-186 Year-2018 Thana- THAWE District- Gopalganj

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Krishna Chauhan Son of Tyagi Chauhan @ Tyagi Resident of Village-Koini
Buzurg, Police Station Taraiya Suzan, Distt.-Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 27-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Thawe P.S. Case No. 186 of 2018 registered for the offence punishable under Sections 30(a), 35, 38 of Bihar Prohibition (Excise) Act, 2016.

Allegation against petitioner is of recovery of 207.360 ml. of foreign liquor from the car which he was driving.

It has been submitted on behalf of the petitioner that he is driver of the car and not the owner of the car and was not aware that the liquor has been kept in the car. Petitioner has no criminal antecedent and he is in custody since 12.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned IIInd Additional Sessions Judge cum Special Judge (Excise), Gopalganj, in connection with Thawe P.S. Case No. 186 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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