

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70660 of 2018

Arising Out of PS. Case No.-416 Year-2017 Thana- BAHADURPUR District- Darbhanga

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Bhim Paswan Son of Baidyanath Paswan, Resident of Village-Antaur, Police Station-Bahera, Distirct-Darbhanga. At Present Resident of Village-Kauahi, Police Station-Bahadurpur, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with G.O. Excise Case No. 1598 of 2017 arising out of Bhadurpur P.S. Case No. 416 of 2017 registered for the offences punishable under Section 30(A), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged in his written complaint that he received information that in the Orchard of Bhuneshwar Mishra some unknown persons has kept illegal liquor and on receiving such information, he reached at the said place and 279 litters of foreign made Indian liquor has been recovered. The owner of the orchard said that he had given the orchard to Pabitra Paswan to look after it and petitioner has been named only on suspicion that he might have kept the liquor



as recently he has been enlarged on bail in excise matter.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. Nothing has been recovered from his possession and he has been implicated in this case only on the basis of suspicion. He is in custody since 19.07.2018.

Considering the aforesaid fact 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 of the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Darbhanga in connection with G.O. Case No. 1598 of 2017 arising out of Bahadurpur P.S. Case No. 416 of 2017, subject to conditions:

- (1) Bialors 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 represented on each and every date fixed by the court.
- (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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Rajiv/Manoj-

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