

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14537 of 2018

Arising Out of PS.Case No. -275 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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1. Mishri Lal Paswan S/o Bachhu Paswan Resident of Village- Ward No. 11, Riga, P.S.- Riga, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since 10.01.2018 in connection with Majorganj P.S. Case No. 275/16 for offences punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that a vehicle was seized and from the vehicle 24 litres of country-made wine was recovered, however, the driver of the vehicle managed to flee away. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, was not found at



the place of occurrence and was implicated in another case bearing Majorganj P.S. Case No. 09/18 and remanded in the present case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi, in connection with Majorganj P.S. Case No. 275/16, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be



at liberty to move the learned court below for
cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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