

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59209 of 2018

Arising Out of PS. Case No.-537 Year-2018 Thana- BARACHATTI District- Gaya

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Pawan Kumar Nirala Son of Sri Vijay Paswan Resident of Village- Siriyawan,
P.S.- Barachatti (Mohanpur), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 150 k.g. Mahua was recovered from a tempo which was being boarded by three accused persons including the petitioner. It is contended that two accused persons fled away after seeing the police party. It is further contended that seized article does not belong to the petitioner rather the same belongs to the other accused persons who fled away from the tempo. Petitioner claims to be driver of the aforesaid tempo. Petitioner claims that he is having clean antecedent and is in custody since 13.08.2018.



Having regard to the facts and the circumstances of the case, the abovenamed petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 537 of 2018/ G.R. No. 1692 of 2018.

Further, if the petitioner, after his release in this case, is again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of his bail bond.

(Dr. Ravi Ranjan, J)

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