

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72718 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- PIPRAHI District- Sheohar

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1. Kasindra Paswan @ Kashindra Shah, Son of Mangar Paswan,
 2. Naresh Paswan, Son of Prabhu Paswan, Both residents of Village- Mesaudha, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-12-2018

Heard learned counsel for the parties.

Petitioners seek bail in **Piprahi P.S. Case No. 132 of 2018** registered for the offence punishable under sections 272 and 273 of the IPC and Section 30(a), 38, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 474 Litres of Nepali Soufi Liquor from the house and OMNI Van of one Tara Chand Shah, who is engaged in illegal trade of liquor. The consignment was sent by Raja Babu as disclosed in the FIR. Allegation against the petitioners are that they were unloading the liquor from OMNI Van and shifting the liquor in the house of Tara Chand Shah.

It has been submitted on behalf of the petitioners that they are daily wage labourers and have been falsely implicated



in this case on suspicion. It has been further submitted that the petitioners were not arrested from the spot. Petitioners have got no criminal antecedent. Petitioner no. 1 is custody since 05.10.2018 and petitioner no. 2 is in custody since 06.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Sessions Judge-II cum Special Judge, Excise, Sheohar**, in connection with **Piprahi P.S. Case No. 132 of 2018**, with following conditions:-

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

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper 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 petitioners.

(4). If the petitioners are found involved in similar nature of offence, after their release on bail, the trial court shall take steps to cancel their bail bond.

(S. Kumar, J)

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