

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4642 of 2019

Arising Out of PS. Case No.-642 Year-2018 Thana- SHERGHATI District- Gaya

Chhotu Paswan @ Chatu Basbana, (Male), aged about 36 years, Son of Seetaram Paswan, Resident of Village- Kharauna, Police Station- Magadh University, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh,Adv.

For the Opposite Party/s : Mr.Anita Kumari Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sherghati P.S. Case No. 642 of 2018 registered for the offences punishable under Sections 30(a) Bihar Prohibition and Excise Act, 2016 and Section 272 & 273 of Indian Penal Code.

Allegation is recovery of 60 liters of mahua liquor from the motorcycle of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. Petitioner has no criminal



antecedent and is in custody since 27.11.2018.

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 to the satisfaction of learned Special Excise Judge, Gaya, in connection with Sherghati P.S. Case No. 642 of 2018, subject to conditions:

- (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 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 bonds.

(S. Kumar, J)

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