

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7165 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- ADAPUR District- East Champaran

Raj Kumar, Son of Rajvanshi Paswan @ Rajkali Paswan, aged about 28 years (M), Resident of village- Shyampur, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Sheela Pandey

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 13-03-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 133.2 litres Nepali Saufi wine from three sacks which were being carried on bicycle by two accused persons including the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 24.10.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Adapur P.S. Case No.313/2018 with following 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 properly 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)

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