

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9581 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- PATNA RAIL P.S. District- Patna

RAJESH PASWAN S/o Late Kameshwar Paswan, resident of village-
Nadawan Bazar, P.S-Dhanarua, Dist.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with
Special Case No. 12005 of 2018, arising out of Rail Patna
Junction P.S. Case No. 462 of 2018 for offences
punishable under Section 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, as lodged by the rail
police personnel, is that during checking the petitioner
was apprehended with 29.50 litres of Indian made foreign
liquor, which he was carrying in two big bags.
Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel



for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He further submits that petitioner is languishing in judicial custody since 19.12.2018 and has been sufficiently punished. He undertakes not to induce witnesses or tamper with the prosecution evidence.

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 Special Judge (Excise), Patna, in connection with Special Case No. 12005 of 2018, arising out of Rail Patna Junction P.S. Case No. 462 of 2018, subject to the following conditions :

1. 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.
2. 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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