

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10516 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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PAWAN SINGH, aged about 36 years, Gender Male, Son of Late Maheshwar Singh, Resident of village- Samadhpora, P.S.- Baheri, District- Darghanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umanath Mishra, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with G.O. Case No. 74 of 2019/P.R. Case No. 04 of 2019 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act 2016.

Allegation is recovery of 23 bottles containing 375 ml. each, total 8.625 liters of liquor from beneath the land 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 the case. Petitioner is in custody since 20.01.2019.



Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, petitioner after completion of four months in judicial custody be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M- Vth -cum- Special Judge (Excise), Darbhanga, in connection with G.O. Case No. 74 of 2019/P.R. Case No. 04 of 2019, with 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.

With the aforesaid liberty this criminal miscellaneous stands disposed of.

(S. Kumar, J)

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