

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12890 of 2019

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

Nand Kishore Paswan. Age 25 years (M), Son of Rajdeo Paswan, Resident of Village - Shyampur, P.S.- Adapur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Adapur P.S. Case No. **313 / 2018** registered for the offence punishable under Sections 272, 273 of the IPC and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation against the petitioner and one co-accused Raj Kumar is recovery of 133.2 litres of Nepali Saufi from the cycle on which they had kept the illicit liquor.

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 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 Addl. Special Judge (Excise), Motihari, East Champaran 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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