

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16326 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

=====

BIRENDRA PASWAN, aged 55 years, Male, Son of Late Muneshwar Paswan, Resident of Village - Nunahi, Ward No.9, P.S.- Parihar, Distt.- Sitamarhi ... Petitioner

Versus

The State of Bihar

... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Virendra Kumar, Adv.
For the Opposite Party : Mr. Arun Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 05.02.2019 in connection with c2/57/19 for the offence alleged under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the Sashastra Seema Bal officials apprehended the petitioner and another co-accused with 72 liters of Nepali Saufi wine. Accordingly, a seizure memo was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the entire recovered illicit liquor can not be attributed to the petitioner. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.



However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner along with another co-accused were apprehended on the spot.

Considering the nature of allegations and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with c2/57/19 to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Sitamarhi, subject to the condition that 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.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

