

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20746 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- BELAGANJ District- Gaya

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NANHKA PASWAN @ GIRJESH PASWAN, aged about 28 years, (M) Son
of Saryu Paswan R/o village- Govraha, P.S.- Belaganj, District- Gaya

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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Satya Veer
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Allegation is recovery of 30 litre of country made
wine from the house of petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case.
Nothing has been recovered from his conscious possession. He
is in custody since 17.01.2019.

Considering the fact that petitioner has also
accused in similar nature of offence on earlier occasion, I am
not inclined to enlarge the petitioner on bail at this stage. Hence,



the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail **after completing six months of jail custody by the court below** 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 **Belaganj P.S. Case No. 320 of 2018**, with following condition:-

(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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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