

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79027 of 2018

Arising Out of PS. Case No.-314 Year-2018 Thana- VAISHALI District- Vaishali

Rakesh Paswan S/o Banai Paswan R/vill-Subhai,P.S-Vaishali, Distt.-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Barun Kumar Choudhary,Adv
	:	Smt. Pratima Kumari, Adv
For the Opposite Party/s :		Mr.Sri Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Vaishali P.S. Case No. 314 of 2018 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 171 litres of foreign liquor from the dicky of vehicle in which petitioner was seated.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It was a passenger vehicle and he was sitting as a passenger and was not aware that in the vehicle illicit liquor was kept. During checking of the vehicle the driver and co-driver fled away and the five passengers were apprehended by the police.



Petitioner has no criminal antecedent and he is in custody since 10.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.II cum-special Judge, Hajipur, Vaishali, in connection with Vaishali P.S. Case No. 314 of 2018 subject to the conditions that:-

(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 bond.

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(S. Kumar, J)

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