

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36308 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- PIPRA District- East Champaran

Narmdeshwar Tiwary, aged about 63 years, Male, Son of Ramswaroop
Tiwary Resident of Village Tiwari Tola, P.S. Pipra, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rishikesh Ojha, Advocate

For the Opposite Party : Mr.Gauri Shanker Gupta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 12.04.2019 in connection with Pipra P.S. Case No. 75 of 2019 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 975 pouches containing 200 ml each of spirit from the bush near a pond. It is stated that the land from where recovery has been made does not belong to the petitioner and there is no material to connect him with the alleged recovery.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 9th-cum-Special Judge, Excise, East Champaran in connection with Pipra P.S. Case No. 75 of 2019, on the following conditions :



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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