

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77984 of 2018

Arising Out of PS. Case No.-397 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Pappu Kumar Paswan S/o Sri Indrajit Paswan, R/o Vill.- Kachhi Balihari,
P.S.- Putki, District- Dhanbad Jharkhand.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar

For the Opposite Party/s : Mr.Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 11-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Barachatti P.S. Case No. 397 of 2018** registered for the offence punishable under Sections 30(a) and 56 (B) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 270 liters of foreign liquor from Tata Ace 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. Nothing has been recovered from the possession of the petitioner. He is neither the owner nor the driver of the said vehicle. He has only taken lift from the said vehicle and does not aware that illicit liquor was kept in the vehicle. He has got no criminal antecedent and is in custody since 28.10.2018.



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 **Special Judge Excise, Gaya**, in connection with **Barachatti P.S. Case No. 397 of 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 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 offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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