

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65612 of 2019

Arising Out of PS. Case No.-86 Year-2016 Thana- LAUKARIA District- West Champaran

VINAY JAISWAL Son of Umesh Jaiswal @ Umesh Jayswal @ Umesh Prasad Jaiswal Resident of Village - Kailash Nagar, P.S.- Bagaha (Pathkhauli), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather it is recovered from boat. Learned counsel further submits that earlier the petitioner has two criminal antecedent of similar nature under Bagaha Patkhauli P.S. Case No. 92 of 2019 and Bagaha Patkhauli P.S. Case No. 376 of 2018 in which petitioner has been granted bail. It is further submitted that petitioner has identified in the torch light. Petitioner is languishing in judicial



custody since 05.08.2019.

In the facts and circumstances of the case, 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 to the satisfaction of the learned Special Judge Excise, Bettiah, West Champaran in connection with Laukariya Police Station Case No. 86 of 2016, subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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 Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) 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.

(Anjani Kumar Sharan, J)

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