

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78873 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

Ashok Ram @ Ashok Paswan, Male, aged about 28 years, S/o Ambika Ram
@ Ambika Prasad @ Ambika Paswan R/o village- Ahirauli, P.S.- Buxar (Ind),
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Buxar (Ind) P.S. Case No. 111 of 2019 registered for offences under sections 25(1B)a, 26, 35 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

From the First Information Report, it appears that a group of persons has formed a gang and the present petitioner is involved in the illegal trade. The police has arrested certain persons from the place of occurrence with illegal arms and liquor who informed the police that the present petitioner had come earlier but, he left the place at the time of raid.



Learned counsel for the petitioner submits that those who have been found with the illegal arms with liquor have been granted bail. He further submits that nothing incriminating has been recovered from the possession of the petitioner and his name has come on the statement of the co-accused.

The petitioner is in judicial custody since 26.09.2019.

Looking to the entire 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 the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge Excise Act, Buxar in connection with Buxar (Ind) P.S. Case No. 111 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order,



including cancellation of bail bonds and (iv) the petitioner will report to the Buxar (Ind) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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