

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73180 of 2019

Arising Out of PS. Case No.-198 Year-2019 Thana- ROSHANGANJ District- Gaya

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1. SHAMBHU PASWAN @ SHAMBHU KUMAR Son of Charitar Paswan
Resident of Village- Rogila @ Dhongila, P.S.- Bankey Bazar, District- Gaya.
 2. Gyan Gaurav Kumar @ Gyangaurab Kumar Son of Raj Kumar Prasad
Resident of Village - Hussainganj, P.S.- Bankey Bazar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushant Praveer

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who are in custody, seeks bail in connection with Raushangaj (Bankey Bazar) P.S. Case No. 198 of 2019 registered for the offence punishable under Sections 30(d) of the Bihar Prohibition and Excise Act.

Informant is the police officer, who in his written complaint has stated that on 11.10.2019 while he was on patrolling duty, he received confidential information that some miscreants are carrying Mahua Flower on motorcycle and as he reached the place of occurrence at 9.15 PM and saw two motorcycles borne miscreants fleeing away and motorcycle was



stopped and two persons Shambhu Paswan and Gyan Gaurav Kumar were apprehended. On search, 100 Kg mahua flower was recovered from the possession of petitioner No. 1 and 50 Kg mahua flower was recovered from the possession of petitioner No. 2.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case and nothing was recovered from their conscious possession. They have no criminal antecedent and are in custody since 09.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Raushangaj (Bankey Bazar) P.S. Case No. 198 of 2019 subject to the conditions that:-

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

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

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