

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76549 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- DARBHANGA District- Darbhanga

Ujjwal Jaiswal Son of Bhagwat Chaudhary @ Bhagwat Jaiswal, Resident of
Village-Quilaghat, P.S-Town, District-Darbhangha.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with G.O. Case No. 415 of 2019 arising out of Town P.S. Case No. 84 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-b), a/ 26 of the Arms Act.

Learned counsel for the petitioner submits that the allegation levelled against the petitioner is false and nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has falsely been implicated in the present case due to dirty village politics and he is in custody since 07.08.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case, wherein the recovery is said to be that of 4.30 liters illicit liquor and one country made pistol without any cartridge, the petitioner has no criminal antecedent and has remained in custody since 07.08.2019, the investigation against him is complete, there is no submission that release of the petitioner is otherwise likely to influence the trial or tamper with the evidence, let the petitioner above named be released on bail in connection with G.O. Case No. 415 of 2019 arising out of Town P.S. Case No. 84 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge 2nd -cum-Special Judge (Excise), Darbhanga, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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