

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77557 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- CHANDI District- Bhojpur

Sheo Gulam Paswan @ Shiv Gulam Paswan @ Shiogulam Paswan S/o Late
Tukar Bhagat R/o village- Khangaon, P.S.- Chandi, District- Bhojpur, Ara

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Chandi P.S. Case No. 136 of 2019, registered for the offence punishable under Sections 272, 273, 120(B) and 34 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act.

Allegation as per the FIR, is that, on a confidential information, the informant reached the village Khangaon, where, on the disclosure of co-accused, recovery of 200 liters of illicit liquor has been made from the different galons.

It is submitted on behalf of the petitioner that the petitioner is innocent and he has been falsely implicated in this case. He further submits that nothing has been recovered from



the conscious possession of the petitioner and similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 68864 of 2019 vide order dated 04.11.2019. The petitioner has no criminal antecedent and he is in custody since 20.09.2019.

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/- (Rupees Ten Thousand) with tow sureties of the like amount each to the satisfaction of the learned A.D.J.-IVth-cum-Special Judge (Excise Act), Bhojpur, Ara in connection with Chandi P.S. Case No. 136 of 2019 (Excise Case No. 1454 of 2019) subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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.

(S. Kumar, J)

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