

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78485 of 2019

Arising Out of PS. Case No.-561 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

RAKESH PASWAN @ TEMPOO PASWAN Son of Shyam Awatar Paswan
Resident of Village - Betari, P.S.- Bhabua, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.09.2019 in connection with Excise Case No. 700 of 2019 arising out of Bhabua P.S.Case No. 561 of 2019 for the alleged offences under Sections 30(A)/32(1)(2) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with the recovery about 141.120 litres of liquor from the house of co-accused Parashuram Bind. It is submitted that the petitioner has no concern with the recovery of incriminating goods and except suspicion, there is no objective material to connect the petitioner with the alleged offence.

4. Be that as it may, having regard to the period of custody since 23.09.2019, 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 Special Judge-cumADJ-3rd, Kaimur at



Bhabua in connection with Excise Case No. 700 of 2019 arising out of Bhabhua P.S. Case No. 561 of 2019 on the following conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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