

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84564 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- CHAKIA District- East Champaran

VINAY JAISWAL @ ABHINAY KUMAR @ VINAY KUMAR Son of Prem Chandra Jaiswal @ Prem Chandra Prasad Resident of Sahebganj, P.S.- Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Mishra

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody seeks bail in a case registered under Sections 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant is the police officer, who in his self statement has alleged that he received information that some persons were carrying liquor in a Maruti Car. The police intercepted maruti car and one motorcycle, two persons, namely, Rohit Kumar and Pankaj Kumar were apprehended on chase. 432 bottles each containing 180 ml and 24 bottles each containing 750 ml Royal Stag liquor were recovered. The apprehended accused persons disclosed the name of petitioner



and others who managed to flee away.

It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case on the basis of false statement made by co-accused. Similarly placed co-accused, namely, Ram Naresh Prasad Sah has been granted bail by a co-ordinate Bench of this Court vide order dated 06.03.2019 passed in Cr. Misc. No. 13643 of 2019. Petitioner is in custody since 10.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Chakia P.S. Case No. 295 of 2018 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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