

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84556 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- SAHIYARA District- Sitamarhi

SANTU PASWAN Son of Late Nehal Paswan Resident of Village - Purnahia,
P.S.- Sahiyara, District – Sitamarhi Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioner in this case is seeking regular bail in connection with Sahiyara P.S. Case No. 99 of 2019 registered for the offences punishable under Sections 188, 272, 273 of the Indian Penal Code and Sections 30/30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the place from where the alleged illicit liquor has been recovered does not belong to this petitioner and the petitioner has no concern with the alleged illicit liquor. The petitioner is in custody since 28.10.2019 having no criminal antecedent.

Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case wherein though the recovery of illicit liquor has been shown from a hut belonging to this petitioner but in the first



information report it has been alleged that the illicit liquor was brought by Rajeev Paswan and co-accused Mukesh Paswan and they are involved in selling the illicit liquor, the petitioner has remained in custody since 28.10.2019, let on completion of investigation the petitioner be released on bail in connection with Sahiyara P.S. Case No. 99 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 Sessions Judge-II-cum- Special Judge, Excise Act, Sitamarhi, 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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