

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19311 of 2020**

Arising Out of PS. Case No.-321 Year-2017 Thana- LAKHISARAI District- Lakhisarai

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RAMASHISH PASWAN Son of Late Chunni Lal Paswan Resident of Village
- Jhakhar, Dariyapur, P.S.- Kabaiya (Lakhisarai), District - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 11-06-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a)/32(c)/38(b) of the Bihar Prohibition & Excise Act, 2016 and Sections 272/273 of the Indian Penal Code.

Allegation is recovery of 200 litres country-made liquor from a Pick-up van.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner is not named in the



FIR and his name has surfaced in this case on the confessional statement made by the co-accused Mahesh Ram @ Rajni Kant to whom the petitioner has sold the said vehicle but transfer of the ownership of the vehicle in the name of Mahesh Ram @ Rajni Kant was pending. Petitioner has no criminal antecedent and he is in custody since 19.12.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Lakhisarai (Kabaiya) P.S. Case No.321/2017, with following conditions:-

(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.

(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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take



steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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