

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19304 of 2020

Arising Out of PS. Case No.-120 Year-2020 Thana- KATIHAR District- Katihar

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AJAY PASWAN Son of Dina Paswan Resident of Village - Gaushala
(Pakistani Tola), Ward No.- 39, P.S.- Sahayak Katihar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-06-2020

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

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Amendment Act, 2016.

Allegation is recovery of 104 litres of country made liquor from Bicycle of the petitioner.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case on the basis of suspicion. Nothing was recovered from the conscious possession of petitioner. Petitioner was not apprehended on the



spot. His name has surfaced in this case on the basis of confessional statement of co-accused Dina Sahni who was apprehended on the spot by the police alongwith alleged country made liquor. Petitioner has no criminal antecedent and is in custody since 02.03.2020.

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 Regd. No. 353/2020 arising out of Nagar Sahayak P.S. Case No. 120 of 2020 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 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)

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