

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69786 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- KOTWA District- East Champaran

GANGA PASWAN Son of Late Teni Paswan Resident of Village-Fatuha, P.S.-
Kotwa, District-East Champaran. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking regular bail in connection with Kotwa P.S. Case No. 196 of 2019 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the alleged recovery of illicit liquor has been shown from the motorcycle of the petitioner for which he is in custody since 08.08.2019 having no criminal antecedent. It is further submitted that the petitioner has been made victim of police atrocities and nothing has been recovered from his conscious possession.

Learned APP for the State has opposed the prayer of regular bail of the petitioners.

Considering the facts and circumstances of the case wherein the alleged recovery of illicit liquor is from the motorcycle



of the petitioner but the petitioner has no criminal antecedent and has remained in custody for five months, let the petitioner above named be released on bail in connection with Kotwa P.S. Case No. 196 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 9th Additional Sessions Judge -cum- Special Judge, Excise, Motihari, East Champaran, 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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