

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13863 of 2021**

Arising Out of PS. Case No.-453 Year-2020 Thana- JHAJHA District- Jamui

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Pramod Paswan male aged about 25 years, Son of Makshudan Paswan
Resident of Village- Ambedkar Nagar, Police Station- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishore Sinha

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 30-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jhajha P.S. Case No. 453 of 2020, registered for the offence under Sections 272/273 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 5 liters of country-made Mahua liquor has been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Mandatory provision with regard to search and seizure has not been followed. Petitioner is in custody since 31.12.2020.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Jamui in connection with Jhajha P.S. Case No. 453 of 2020 (G.R. Case No. 3821 of 2020), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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