

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35733 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- PIPRA District- East Champaran

Badri Paswan Son of Late Kishun Paswan Resident of Village- Barwa, Police
Station- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Pipra P.S. Case No. 269 of 2020, registered for the offence under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a), 36, 41(1) of Bihar Prohibition and Excise Act.

Approx. 252 liters of foreign liquor has been recovered from an open cattle house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner and petitioner has got no concern with the seized liquor. Petitioner claims clean antecedent and he is in custody since 11.02.2021. Investigation is complete.

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



Considering the nature of allegation, clean antecedent and period of custody of petitioner, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, East Champaran at Motihari in connection with Pipra P.S. Case No. 269 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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