

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37848 of 2021**

Arising Out of PS. Case No.-150 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

Vikash Paswan @ Vikas Kumar Paswan Son of Late Mohan Paswan Resident
of Village - Dulahpur, Police Station - Simari, District - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Dr.M.K.Gautam

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

2. 22-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Buxar (M) P.S. Case No. 150 of 2021 (C.I.S. No. 617 of 2021), registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

777.6 liters of foreign liquor has been recovered from a tractor and this petitioner is alleged to have fled away from the place of occurrence after seeing the police party.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither owner nor driver of the said tractor and has got no concern with the seized liquor. Petitioner has got clean antecedent and is in custody since 16.04.2021.

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



Considering the nature of allegation, period of custody and clean antecedent 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 A.D.J.-II cum Special Judge, Excise, Buxar in connection with Buxar (M) P.S. Case No. 150 of 2021 (C.I.S. No. 617 of 2021), 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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