

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51247 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- SIMRI District- Buxar

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Neta @ Chandrabhan Pratap @ Chandrabhan Paswan Son Of Shibshankar
Prasad @ Shivshankar Paswan Resident Of Village - Simri (DUDHI Patti)
Police Station - Simri, District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Simri P.S. Case No. 157 of 2023 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 19.5.2023 by the informant, Ramashish Rai.

As per the prosecution story, the police upon secret information about the presence of consignment of liquor near river ganges reached there and found the accused persons trying to escape, apprehended. He was Dheeraj Pandey and from the sacks present there 180 ml. foreign liquor was recovered/seized followed by FIR.

Learned counsel for the petitioner submits that those



apprehended named this petitioner and accordingly his name came up. He do not have any role to play in the matter and only because of his criminal antecedent, implicated.

Learned APP opposes the prayer.

Considering the submission put forward by the learned counsel for the petitioner as also that he is in custody since 16.6.2023 (para-9 of the petition) and has not been arrested from the spot and ultimately will have to face the trial, this Court is inclined to extend her the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise Court-2, Buxar, in connection with Simri P.S. Case No. 157 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

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