

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23027 of 2019**

Arising Out of PS. Case No.-9 Year-2016 Thana- DARIHAT District- Rohtas

Sanjay Kumar Paswan, aged about 36 years (Male) Son of Jokhan Paswan  
Resident of Village + P.O - Amiyawar, P.S.- Nasariganj, District - Rohtas.  
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Nagendra Upadhyay, Advocate  
For the Opposite Party : Mr.Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      12-04-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Section 47(a) of the Excise Act registered in connection with Darihat P.S. Case No. 09 of 2016.

3. It is submitted that the petitioner has been falsely implicated on the accusation of recovery of about 22 litres of illicit liquor from a mother-cycle which was left behind by the two persons who fled away on seeing the police party. It is submitted that the petitioner has been implicated on mere suspicion and has no concern with the alleged recovery of the illicit liquor. The petitioner, who is not named in the FIR, claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named 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 Additional District & Sessions Judge-cum-Special Judge, Excise, Rohtas, Sasaram in connection with Darihat P.S. Case No. 09 of 2016, subject to the conditions as laid down under Section 438 (2) of



the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

**(Vikash Jain, J)**

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