

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26092 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- SAHPUR District- Bhojpur

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SANOJ PASWAN S/o Ramayan Paswan Resident of Village-Rani Sagar, P.S-
Shahpur, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 30(A) of the Bihar Prohibition and Excise Act,
2018.

Allegation is recovery of 11.550 litres of country
made liquor from the hut of the petitioner and other co-accused
and they were engaged in sale of the same.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case. He was
not apprehended on the spot. Nothing was recovered from his



possession or from his house, as such, no offence under Excise Act is made out against him. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Shahpur P.S. Case No. 16 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in



that case, prosecution will be at liberty to
move for cancellation of bail of the
petitioner.

(4) If the petitioner is found involved in
similar nature of offences, after his
release on bail the trial court shall take
steps to cancel his bail bond.

(S. Kumar, J)

veena/rajiv-

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