

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22570 of 2021**

Arising Out of PS. Case No.-173 Year-2020 Thana- VISHNUPAD District- Gaya

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SHANKAR PASWAN SON OF LATE DHANU PASWAN R/O MOHALLA-
MARANPUR KAPILDHARA KHAJURIYA, P.S.- VISHNUPAD,
DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Vishnupad P.S. Case No.173/2020 registered

for the offences punishable under Sections 30(a)/37(ii) of the

Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per

the prosecution story 5 liters of illicit liquor has been recovered

from the house of the petitioner.

Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that nothing has been recovered from the conscious possession of the petitioner and he is in custody in connection with this case since 09.01.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein only 5 liters of illicit liquor is alleged to have been recovered from the house of the petitioner, he is in custody in connection with this case since 09.01.2021, he is an accused in one more case of similar nature as stated in paragraph '3' in which he is said to be on bail, investigation against him is complete, but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Vishnupad P.S. Case No.173/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify

the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.