

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29486 of 2021

Arising Out of PS. Case No.-206 Year-2019 Thana- RANIYATALAB District- Patna

NEERAJ KUMAR PASWAN @ NEERAJ KUMAR @ HIMANSHU
KUMAR S/O SRI RAMPUKAR PASWAN R/O VILLAGE-BARA, P.S.-
RANI TALAB, DISTRICT-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Mishra, Adv.
For the Opposite Party/s : Mr.Anant Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-10-2021 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 Special Case No.7898/2019 arising out of Rani Talab P.S. Case No.206/2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 25.01.2021. The petitioner has got one criminal antecedent in which he is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story 70 liters of illicit liquor was recovered in



front of the house of the petitioner near the palm tree at the bank of canal.

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 was recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 25.01.2021.

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 70 liters of illicit liquor was recovered in front of the house of the petitioner near the palm tree, petitioner has one criminal antecedent of different nature in which he is said to be on bail, he is in custody in connection with this case since 25.01.2021, 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 Special Judge, Excise, Patna in connection with Special Case No.7898 of 2019 arising out of Rani Talab P.S. Case



No.206/2019, 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'.

