

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8960 of 2021**

Arising Out of PS. Case No.-312 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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SACHIN PASWAN Son of Reshmi Paswan Resident of 3 Rajopur,
Katarmala, P.S.-Dandari, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sahebpur Kamal P.S. Case
No. 312 of 2019, registered for the offence punishable
punishable under Sections 413, 414 of the Indian Penal Code
and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

101.625 litres of foreign liquor has been recovered
from the house of co-accused Kundan Kumar and name of this
petitioner has come on the basis of confessional statement of
apprehended co-accused Manish Kumar, Solanki Kumar and
Raju Kumar who named this petitioner as one of the
accomplices in commission of theft of motorcycle.

It is submitted that no recovery has been made from



conscious possession of this petitioner and has no concern with the seized liquor. Liquor has been recovered from the house of co-accused Kundan Kumar. Similarly situated co-accused have been granted bail by different benches of this court. Petitioner is in custody since 31.07.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the fact that no recovery has been made from conscious possession of the petitioner coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise, Begusarai in connection with Sahebpur Kamal P.S. Case No. 312 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) 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.

(Prabhat Kumar Singh, J)

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