

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1964 of 2022

Arising Out of PS. Case No.-485 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MANOJ PASWAN Son of Late Vindeshwar Paswan Resident of Village-
Ward No. 06, Mura Chatona, P.S.- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Adv.

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in a case registered for

the offence under Sections 30(a) of the Bihar Prohibition

and Excise Act.

Recovery is of 72 liters of Nepali Saufi liquor.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He

further submits that although there is allegation of recovery

of 240 bottles of illicit liquor from the possession of the

petitioner, but it is impossible for a person to carry 240

bottles containing 72 liters which shows that petitioner has



been falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 15.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with C2 Case No. 485 of 2021 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or



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

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.

(Rajesh Kumar Verma, J)

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