

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3595 of 2022**

Arising Out of PS. Case No.-565 Year-2021 Thana- SITAMARHI District- Sitamarhi

Ranjan Paswan @ Ram Niwash Paswan S/o Late Bihari Paswan R/o village-
Bariyarpur, P.S.- Sitamarhi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the petitioner and learned
APP for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Petitioner seeks bail in a case registered for the offences punishable under Sections 30(a), 36 of the Bihar Prohibition and Excise Act.

Recovery is of 878.400 litres of *Nepali Saufi* wine.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case only on the basis of confessional statement of co-accused Bhola Kumar.. He further submits that it appears from the F.I.R. as well as seizure list nothing has been



recovered from the possession of the petitioner rather recovery has been made from the pick-up van. The petitioner is neither the owner nor the driver of the van in question. The police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 31.10.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Sitamarhi P.S. Case No. 565 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) 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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