

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3994 of 2022

Arising Out of PS. Case No.-410 Year-2020 Thana- GAYA KOTWALI District- Gaya

SADHU PASWAN @ RAMANAND PASWAN, Son of Late Baleshwar Paswan @ Late Bhola Paswan, Resident of Village - Murli Hill @ Bairagi, P.S.- Kotwali, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-08-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail in connection with Kotwali P.S. Case No. 410 of 2020, Special Excise Case No. 1408 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 31.10.2020. Petitioner has got eight criminal antecedents.

Learned counsel for the petitioner submits that earlier prayer for bail of the petitioner has been rejected vide order



dated 24.07.2021 passed in Cr. Misc. No. 19501 of 2021 giving liberty to the petitioner to renew his prayer for bail if the trial remained unconcluded within one year from the date of start of normal functioning of the court below and for no reason attributable to the petitioner.

It is submitted that petitioner is in custody since 31.10.2020 and the trial remains unconcluded for no fault on his part.

Mr. Md. Fahimuddin, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the observation of this Court in its order dated 24.07.2021 passed in Cr. Misc. No. 19501 of 2021 allowing the petitioner to renew his prayer for bail if the trial is not concluded within one year, 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, Gaya in connection with Kotwali P.S. Case No. 410 of 2020, Special Case No. 1408 of 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 steps 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)

vats/-

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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'.

