

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8333 of 2022

Arising Out of PS. Case No.-278 Year-2021 Thana- MAHNAR District- Vaishali

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TEMPO PASWAN @ PANKAJ PASWAN Son of Vanshu Paswan Resident of
Village- Chamrahra, P.S.- Mahanar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv

For the Opposite Party/s : Mr.Akbar Ali,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 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.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 413,414,271,272/34 of the
IPC and Section 30(a) of Bihar Prohibition and Excise Act.

Recovery is of 1726 liters of foreign liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that it appears from the FIR that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the house of



co-accused, namely, Anjan Singh. He further submits that the name of the petitioner has been transpired on the basis of confessional statement of co-accused, namely, Rabindra Paswan. He further submits that the petitioner has no concern with the alleged recovery and except confessional statement of the co-accused nothing has come during investigation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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/- (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 Mahanar P.S. Case No.278 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 cancelled 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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