

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8712 of 2022

Arising Out of PS. Case No.-484 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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BUTA PASWAN, S/o Tarachand Paswan R/o village- Tikari More, P.S.-
Aurangabad (T), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar
For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-02-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect (s), if any, be removed within two
weeks.

The petitioner, who is in custody since 22.01.2021,
seeks regular bail in connection with Aurangabad (T) Excise
Case No. 484 of 2020, for the offence punishable under Section
30(a) of the Bihar Excise and Prohibition (Amendment) Act,
2018.

The prosecution case, in brief is that huge quantity of
illicit liquor of about 411.6 litres was recovered from the house
of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that earlier bail application was allowed vide order dated 01.12.2021 passed in Cr. Misc. No. 25636 of 2021, this bail application be disposed of on the same terms.

Learned A.P.P. for the State has opposed the payer for grant of bail to the petitioner and submits that illicit liquor was seized from the house of the petitioner, however, petitioner was not apprehended on the spot. It appears that petitioner is engaged in illicit trade of prohibited item and as such he does not deserve to be released on bail.

Considering the facts and circumstances of the case, learned Court below is directed to verify the antecedent of the petitioner and if it is found that the petitioner is not involved in any other cases as what is stated in paragraph No.3 of the bail application, the petitioner above named, be released on bail on furnishing personal bond of Rs. 1,00,000/- (Rupees one Lakh) along with bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge II-cum-Special Judge, Excise, Aurangabad, in connection with Aurangabad (T) Excise Case No. 484 of 2020, subject to the following conditions :-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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