

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12484 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- CHANDAUTI District- Gaya

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PINTU PASWAN @ BUDHU PASWAN, S/o Basant Paswan, Resident of
Village - Jamune, P.S.- Chandauti, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-08-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the office.

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
regular bail in connection with Chandauti P.S. Case No. 10 of
2021 registered for the offences punishable under Section 30(a),
45 of Bihar Prohibition and Excise Amendment Act. He is in
custody since 05.02.2021 The petitioner has got four criminal
antecedents.

Learned counsel for the petitioner submits that earlier
prayer for bail of the petitioner was rejected vide order dated
16.02.2022 passed in Cr. Misc. No. 42388 of 2021 considering
non disclosure of the complete criminal antecedents.



It is submitted that in this case name of the petitioner has transpired as one of the persons who was seen fleeing away from the place of occurrence. It is further submitted that recovery of 40 litres of Mahua liquor has been made from a lonely place at the bank of river.

Mr. Md. Fahimuddin, learned A.P.P. for the State has though opposed the prayer for bail of the petitioner.

Having regard to the submissions that the name of the petitioner has transpired as one of the persons who was seen fleeing away from the place of occurrence, the recovery of 40 litres of Mahua liquor has been made from a lonely place at the bank of river and this petitioner has remained in custody since 05.02.2021, he has got four criminal antecedents and is on bail in three out of four cases as stated in paragraph '3', there being no submission that the release of the petitioner is likely to result in tampering with evidence or interfering with the course of trial and/or his presence cannot be secured in course of trial, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Chandauti P.S.



Case No. 10 of 2021, 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.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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