

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12657 of 2022

Arising Out of PS. Case No.-532 Year-2021 Thana- JAKKANPUR District- Patna

SUNIL KUMAR @ JUGAN PASWAN, S/o Ramjee Paswan Resident of
Chandpur Bela Pakka Kuan Near Shiv mandir, P.S. Jakkanpur, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with
Jakkanpur P.S. Case No. 532 of 2021 dated 15.10.2021,
bearing Special Case No. 6717 of 2021, registered for the
offences punishable under Section 30 (a) of Bihar Prohibition
and Excise Act.

As per allegation, 50 litres of country made liquor
was recovered from the house of the petitioner.

The learned counsel for the petitioner submits that
the petitioner is innocent and falsely implicated in this case.

It is also stated that nothing has been recovered from the



conscious possession of the petitioner and the seizure list was not prepared as per provisions provided in the Cr. P.C.

The petitioner is in custody since 02.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in Jakkanpur P.S. Case No. 562 of 2021.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Bihar Prohibition and Excise Act, Patna in connection with Jakkanpur P.S. Case No. 532 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.



The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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