

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41370 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- BHAGWANPUR District- Begusarai

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SANJEET PASWAN S/O LATE RAMCHANDRA PASWAN @
RAMCHANDRA PASWAN R/O VILLAGE-MANOPUR, WARD NO. 8,
P.S-BHAGWANPUR, DISTRICT- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 08.03.2021 seeks
regular bail in connection with Bhagwanpur P.S. Case No. 49 of
2020 registered for offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Prosecution case in brief is that altogether 35.640 litres
of foreign liquor was recovered from one Bolero vehicle bearing
Registration No. BR01-5703 near Badiya Chowk. Two persons
were apprehended namely, Chhotu Paswan and Hiralal Paswan
and the petitioner Sanjeet Paswan managed to flee away from the



place of raid after seeing the police.

Learned counsel on behalf of the petitioner submits that nothing has been recovered from the conscious possession of the petitioner and he has been named in the present case due to previous enmity with the accused persons. He further submits that petitioner has clean antecedent and the Bolero vehicle bearing Registration No. BR01-5703 is not registered in the name of the petitioner neither he is concerned with the seized illicit liquor. He further submits that petitioner is in custody since 08.03.2021.

Considering the facts and circumstances of the case as well as considering the period of custody and there being no allegation of tampering the evidence or influencing the witnesses, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) each with two sureties of the like amount each to the satisfaction of learned Additional Session Judge II Begusarai cum Special Judge, Bihar Prohibition and Excise Act in connection with Bhagwanpur P.S. Case No. 49 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

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



(iii) 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.

(iv) 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 bond.

(Purnendu Singh, J)

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