

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47485 of 2021

Arising Out of PS. Case No.-294 Year-2021 Thana- SAKRA District- Muzaffarpur

RAJ KUMAR PASWAN Son of Bokhal Paswan Resident of Village -
Khanpur Paray, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 01-04-2022 The applicant/accused in Crime No.294 of 2021 registered with Police Station-Sakra for the offences punishable under Sections 147, 272, 273, 353, 467, 468, 469 and 471 of the Indian Penal Code and Sections 30(a), 36 and 47 of the Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides.

According to the learned counsel for the applicant, the applicant is not having any criminal antecedents and the offence under the Bihar Prohibition and Excise Act, 2016, is not attributed to him.

The learned A.P.P. opposed the application.

I have considered the submissions so advanced and also perused the materials placed before me.

After raiding the house of one Ravindra Paswan and after



seizing huge quantity of illicit liquor from that house and the adjoining area, police party was taking Ravindra Paswan with him for further action. It is alleged that the present applicant along with other accused had pelted stones at the police party in order to prohibit the police party from taking Ravindra Paswan to the police station for preventing further action.

As the investigation of the subject crime is over and as it is reported that the applicant is having no criminal antecedents, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.294 of 2021 registered with Police Station-Sakra for the offences punishable under Sections 147, 272, 273, 353, 467, 468, 469 and 471 of the Indian Penal Code and Sections 30(a), 36 and 47 of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.20000/-(Rupees Twenty Thousand) and on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade



him from disclosing such facts to the Court or to any police officer.

- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.
- (IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.
- (V). The applicant should report to the concerned Police Station on every first Sunday of each month in between 11.00 A.M. to 01.00 P.M.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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