

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54101 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- KHAJEKALA District- Patna

Sanoj Paswan S/O Late Gajindra Paswan R/O Mohalla-Shish Mahal Imam
Baara, Diwan Mohalla Dili Ghat, P.S-Khajekalan, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv

For the Opposite Party/s : Mr. Indu Kumari Srivastava APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 17-08-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State

Petitioner seeks bail in a case registered in connection
with Special Case No. 4585 of 20121 arising out of Khajekalan
P.S.Case No. 206 of 2021 for the offences punishable under
Section 30(a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, it is alleged that the
police on a secret information raided the house of the petitioner
and on search being made total 280 liters of country made liquor
has been recovered behind the house of the petitioner. It is
further alleged that the petitioner was apprehended at the spot.

It is submitted by the learned counsel for the
petitioner that the alleged recovery has been made behind the
house of the petitioner which was not in the exclusive



possession of the petitioner. It is next submitted that only because of the past criminal antecedent of the petitioner his name has been implicated in this case on suspicion. It is lastly submitted that the petitioner is in custody since 26.07. 2021 and moreover, investigation is completed and charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application and submits that petitioner is named in three other cases of similar nature. In response to the aforesaid submission, the learned counsel for the petitioner submits that he is on bail in all the cases.

Having heard the rival contentions of the parties and taking into consideration the fact that the alleged recovery has been made behind the house of the petitioner which is accessible to all and moreover, he is in custody since 26.07.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge , Excise, Patna in connection with Khajekalan P.S.Case No. 206 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 step for cancelling 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.

(Harish Kumar, J)

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