

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55704 of 2021

Arising Out of PS. Case No.-334 Year-2021 Thana- BAHADURPUR District- Darbhanga

RAJ KARAN @ SURESH PASWAN Son of Shiv Narayan Das @ Shivji
Paswan Resident of Village - Ojhaul, P.S.- Bahadurpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Bahadurpur P.S. Case No. 334 of 2021 for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Allegation is of recovery of one pistol and six live
cartridges from the possession of the petitioner and 5.625 litres
of foreign liquor and 15 litres of country made liquor from the
house of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner nor any arms has been recovered rather the seizure list was prepared in police custody of alleged recovery shown to be from the possession of the petitioner. Petitioner is in custody since 24.06.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the illicit trade of liquor is rampant in the State of Bihar. The petitioner is not only engaged in illicit trade of foreign liquor but he is also engaged in manufacturing of country made liquor as well.

Considering the allegation made in the F.I.R. and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge cum Special Judge, Excise, Darbhanga in connection with Bahadurpur P.S. Case No. 334 of 2021, subject to the following conditions:-



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

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

(3) 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.

(4) 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 bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned police station under which his house is located fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his



**monthly attendance report to the Senior Superintendent of
Police, Darbhanga.**

(Purnendu Singh, J)

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