

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56935 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- HASPURA District- Aurangabad

SANTAN KUMAR PASWAN Son of Late Muni Ram Resident of Village-
Bhagi, P.S.- Navinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for 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 25.07.2021, seeks
regular bail in connection with G.R. No. 959 of 2021 arising out
of Haspura P.S. Case No. 134 of 2021 registered for offences
punishable under Section 37(b)(c) of the Bihar Prohibition and
Excise (Amendment) Act, 2018 and Section 25(1-b)a 26 of the
Arms Act.

Allegation against the petitioner is that petitioner was
found drunk which was confirmed by the breath analysing
report. One country-made loaded katta was also recovered from
his possession.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 25.07.2021 and taking into consideration the nature of allegation made against the petitioner, he may be released on bail.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Taking into consideration the nature of allegation made against the petitioner, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 100,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, II -Cum – Special Judge (Excise), Aurangabad in connection with G.R. No. 959 of 2021 arising out of Haspura P.S. Case No. 134 of 2021 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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