

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 48255 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- SAKRA District- Muzaffarpur

Manoj Paswan Son of Kewal Paswan, Lakhan Paswan Resident of village -
Koriyama, P.S.- Sakra, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Sakra P.S. Case No. 147 of 2021 lodged under Section 414 of
I.P.C. and Sections 30(a)/34/33/35/36 of the Bihar Prohibition
and Excise Act.

As per the prosecution case, total recovery of 120 liter
spirit and 57 pouch of *desi* wine are subject matter of the present
case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 14.06.2022 having 3

criminal cases pending against him, in which he is on bail in all the cases. He submits that other co-accused have been granted bail by the Co-ordinate Bench of this Court which is annexed in annexure-2 (page-19).

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-1, Muzaffarpur in connection with Sakra P.S. Case No. 147 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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