

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49202 of 2022

Arising Out of PS. Case No.-575 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Laleshwar Paswan, Son Of Suraj Paswan @ Surya Paswan R/O Village-
Songanwa, P.S.- Sasaram (DARIGAON), District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in connection with Sasaram Town P.S. Case No. 575 of 2022 registered for the alleged offences under Section 30 (a) of the Bihar Prohibition Act and Excise Act, 2018.

As per prosecution case, the petitioner and other co-accused persons were seen coming on a motorcycle and they had kept a sack in between them containing 40 litres of country made *mahua* liquor. The petitioner was apprehended from the spot, whereas the co-accused Lilu Yadav fled away from the scene.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from his conscious possession. The petitioner is an old man and his left leg is fractured. The petitioner is in custody since 13.07.2022 and charge-sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the fact that the charge-sheet has been submitted and further considering his clean antecedent along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram Town P.S. Case No. 575 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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