

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53779 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

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Lalan Paswan Son of Kaleshwar Paswan @ Kalesar Paswan, Resident of
Village - Ramsala, P.S.- Sadar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 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.

The petitioner seeks regular bail in connection with
Darbhanga Sadar P.S. Case No. 382 of 2021, lodged under
Sections 30(a)/30(d) of Bihar Prohibition and Excise Act,
2016/2018.

As per prosecution case, the total recovery of 2 liters
of excise material is alleged to be made from the possession of
petitioner alongwith other materials.

Learned counsel for the petitioner submits that
petitioner is in custody since 14.07.2022 having 4 criminal cases
of same nature pending against him. Learned counsel for the
petitioner further submits that petitioner is ready to fulfill all the
conditions whatsoever shall be imposed upon him by the Court.

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 Special Judge-1 (Excise Court), Darbhanga in connection with Darbhanga Sadar P.S. Case No. 382 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.

Speedy trial is the constitutional vision of justice. Admittedly, there are 5 criminal cases pending against the petitioner (including the present one) relating to Excise Act and all cases belongs to District and Sessions Judge, Darbhanga. The chart of all those cases are as follows :-

1. Darbhanga Sadar P.S. Case No. 293/2021.
2. Darbhanga Sadar P.S. Case No. 388/2021.
3. Darbhanga Sadar P.S. Case No. 402/2021.
4. Darbhanga Sadar P.S. Case No. 29/2019.
5. Darbhanga Sadar P.S. Case No. 382/2021.

The District and Sessions Judge, Darbhanga is directed to do the needful so that all special cases shall run before one Special Court with one date.

Let a copy of this order is communicated to District and Sessions Judge, Darbhanga for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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