

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 67503 of 2021**

Arising Out of PS. Case No.-665 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

RAM LAKSHMAN PASWAN @ RAM LAXMAN PASWAN @ RAM
LAKSHMAN BHAGAT Son of Lakhi Paswan @ Lakkhi Paswan Resident of
Village - Kanchanpur, P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ram Shankar Prasad, Advocate

For the Opposite Party/s : Ms Shaheen Begum, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-06-2022

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar.

The petitioner seeks bail in Hajipur Sadar Police
Station (for brevity, PS) Case No 665 of 2021 registered for the
offence punishable under Section 414 of Indian Penal Code and
Section 30 (a) of Bihar Prohibition and Excise Act.

150 liters country made liquor has been recovered
from a bag, kept beneath the seat of the Tempo. Petitioner and
co-accused Ganesh Rajak have been arrested.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. Prayer for bail on behalf
of co-accused Ganesh Rajak has been allowed by this Court



today itself in Cr Misc No 67483 of 2021. Petitioner claims parity as also the period of custody since 22.07.2021. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and that it is a case of false implication. The petitioner has no concern with the vehicle or liquor, seized by the police.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, fair antecedent, period of custody, claim based on parity as also the fact that investigation is complete, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise), Vaishali at Hajipur in Hajipur Sadar PS Case No 665 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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