

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67846 of 2021

Arising Out of PS. Case No.-251 Year-2021 Thana- SHASTRINAGAR District- Patna

Ganesh Paswan Son of Paras Paswan Resident of Mohalla - Punaichak,
Pichara, Muhalla- Jhoparpatti, P.S. - Shastrinagar, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 10-03-2022 The applicant has claimed out turn hearing on the ground of illness of his minor son. This position could not be disputed by the learned APP.

The applicant is an accused in Crime No. 251 of 2021 registered with Shastrinagar Police Station for the offences punishable under sections 30(a)/56 of the Excise Act.

Learned counsel for the applicant submits that the investigation of the subject crime is over and the charge-sheet has been filed. He submits that except confession of the main accused there is nothing against the applicant.

Learned APP opposed the application by contending that illicit liquor came to be seized from the hut of the applicant.

I have considered the submission so advanced and also perused the material placed before me.



On the basis of secret information, the hut was raided and accused named Dharmendra came to be apprehended. The liquor of about 1192 liters quantity came to be seized. The accused Dharmendra made a confession that the hut belongs to the applicant and that is how the applicant came to be arrested on 31.9.2021 on his surrender. As the investigation of the crime is over, further pre-trial detention of the applicant who has clean antecedent is not desired and therefore, the order.

I. The application is allowed.

II. The applicant/accused in Crime No. 251 of 2021 registered with Shastrinagar Police Station is directed to be released on bail on executing P.R. Bond of Rs. 10,000/- (Ten Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this



case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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