

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.937 of 2022

Arising Out of PS. Case No.-262 Year-2021 Thana- VAISHALI District- Vaishali

1. SHANKAR PASWAN Son of Late Kapal Paswan Resident of Village - Rahimpur , P.S.- and Distt.- Vaishali.
2. RAJA KUMAR Son of Moti Paswan Resident of Village - Kachahari bazar, P.S.- and Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 31-03-2022 The applicants/accused in Crime No.262 of 2021 registered with Police Station-Vaishali for the offences punishable under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act, 2016, by this application are seeking their release on bail during the pendency of the trial after filing of the charge-sheet.

Heard both sides.

On the basis of secret information, police conducted raid and apprehended five persons with three motorcycles. Both applicants were riding on one motorcycle from which 20 liters country made illicit liquor came to be seized.

The investigation of the subject crime is already over.



The applicant no.2 is not having any criminal antecedents whereas the applicant no.1 is having one criminal antecedent in respect of the offences under the Indian Penal Code and Arms Act. In this view of the matter, I see no reason to refuse bail to the applicants. Therefore, the following orders:

- (i). The application is allowed.
- (ii). The applicants/accused in Crime No.262 of 2021 registered with Police Station-Vaishali for the offences punishable under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount by each of them to the satisfaction of the trial court with the following conditions:

- (I). The applicants should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer.
- (II). The applicants should cooperate the trial in expeditious disposal of the trial against them.
- (III). The applicants 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 applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

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

(A. M. Badar, J)

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