

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21395 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- KASMA District- Aurangabad

Sanjay Das @ Sanjay Ravidas, Son of Late Jatoo Das @ Jattu Ravidas,
Resident of Village - Ajad Bigha, P.S.- Goruwa, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
General Registration No. 460 of 2022 arising out of Kasma
P.S. Case No. 63 of 2022 dated 22.05.2022 registered for the
offence punishable under Section 30 (a) of Bihar Prohibition
and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 105 litres of illicit mahua wine and the same is
stated to have been recovered from the possession of two
accused persons namely, Niranjana Paswan and Manman
Paswan who were riding on the alleged motorcycle at the time
of recovery and the petitioner is not stated to be arrested at the



spot of recovery and his name came into light in the statement of co-accused Niranjana Pawan which is not admissible in law and also the fact that co-accused persons, who were apprehended at the spot namely, Niranjana Kumar Paswan and Manman Paswan, have been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 44743 of 2022. Further submissions are that against the petitioner there is criminal antecedent of one case in which he is on bail and in the present matter he has been languishing in jail since 11.02.2023 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against the petitioner and also the fact that he was not apprehended at the spot of recovery and his name was disclosed by the apprehended co-accused persons mentioned above and also the fact that apprehended co-accused persons have been granted bail by a co-ordinate bench of this court, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with General Registration No. 460 of 2022 arising out of Kasma P.S. Case No. 63 of 2022 on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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