

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51173 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- RATANPUR District- Supaul

SANJIT PASWAN @ SANJIT KUMAR PASWAN Son of Lakhan Paswan
Resident of Village-Boharwa, Ward No. 13, Police Station-Ratanpura,
District-Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Sessions Trial No. 1104 of 2021 arising out of Ratanpura P.S. Case No. 60 of 2021 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 9.10.2021 by the informant, Ranvir Kumar Raut.

As per the prosecution story, the police upon secret information, raided the plot of Sushil Mishra and recovered/seized 3982 kgs of spirit followed by FIR.

Subsequently, the police arrested one Sintu Kumar and he named this petitioner as one of his accomplice.

It is the case of the learned counsel for the petitioner that neither the seized materials belonged to him nor the said



plot was his, the name has come in the confessional statement which resulted into his custody since 18.4.2023 (para-12 of the petition).

Learned APP opposes the prayer.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that he do not have criminal antecedent, has remained in custody since 18.4.2023, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Incharge Exclusive Special Judge, Excise, Court No.2, Supaul, in connection with Sessions Trial No. 1104 of 2021 arising out of Ratanpura P.S. Case No. 60 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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