

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70773 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- RAJPUR District- Rohtas

Sandeep Jaiswal @ Sandeep Kumar S/O Birendra Jaiswal @ Virendra
Jaishwal R/O Village- Rajpur P.S- Rajpur and District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-05-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

Petitioner in this case has renewed his prayer for regular bail in connection with Rajpur P.S. Case No. 53 of 2021 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018. He has remained in custody since 28.03.2021 and has got eight criminal antecedents. It is submitted that in all the cases, the petitioner is on bail.

Learned Counsel for the petitioner submits that this Court while rejecting the prayer for bail of the petitioner, had observed that if the trial remains unconcluded during this period of one year for no reason attributable to the petitioner, he may renew his prayer for bail.

Learned Counsel submits on instruction that till date,



charge has not been framed.

Considering the facts and circumstances of the case and the period of custody, this Court directs that after framing of charge by learned court below, the petitioner above named shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II -cum- Special Judge Excise, Rohtas at Sasaram in connection with Rajpur P.S. Case No. 53 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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