

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2392 of 2023

Arising Out of PS. Case No.-1440 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

SHIV PASWAN @ SHIV KUMAR PASWAN Son of Baban Paswan Resident
of Village- Semara Tola, Rampur, P.S.- Sasaram (Muffasil), District- Rohtas at
Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Chhote Lal Mishra, Advocate Mr. Jyoti Prasad, Advocate
For the State	:	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), 34
and 38 of the Bihar Prohibition and Excise Act.

5 litres of country made Mahua liquor was recovered
from the bamboo clump situated outside the village beside Kaw
river.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got two
criminal antecedents of similar nature as stated in paragraph-3
of the bail application. It is further submitted that there is no



recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2-cum-Additional District & Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No.1440 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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