

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50558 of 2024**

Arising Out of PS. Case No.-246 Year-2024 Thana- DINARA District- Rohtas

Sriram Paswan S/O Late Ramadhar Paswan Resident Of Village- Dinara,  
Police Station- Dinara, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms Riya Singh, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      24-07-2024                      Heard Ms. Riya Singh, learned Advocate for the  
  
petitioner and Ms. Asha Devi, learned Additional Public  
  
Prosecutor for the State.

2. This is an application for grant of bail to the  
petitioner, who is in custody in connection with Dinara P.S.  
Case No. 246 of 2024, registered for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
2018.

3. The allegation against the petitioner is of selling  
illicit liquor. The police on receipt of secret information  
conducted raid and from the house of the petitioner 5.94 litres  
illicit Indian made foreign liquor was recovered.

4. Learned Advocate for the petitioner contended that  
the alleged recovery of illicit liquor has been made from one of  
the eastern room of the house of the petitioner, which is a joint  
family house where several persons reside and, as such, the



petitioner cannot said to be responsible for the recovery alone. It is further contended that in fact the petitioner carrying three criminal antecedents over his head due to which his name has been implicated in this case without there being any cogent material. It is next contended that the petitioner is in custody since 04.06.2024 and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court. Learned Advocate also drew the attention of this Court to certain discrepancies with regard to search and seizure.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is a habitual offender engaged in identical crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from a joint family house, coupled with the fact that the petitioner is on bail in all other cases, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Dinara P.S. Case No. 246 of 2024, subject to the condition that one of the bailors shall be the own/close



family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

Anjani/-

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