

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84194 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- DIGHWARA District- Saran

Sailesh Kumar Paswan @ Shailesh Paswan @ Shailesh Kr. Paswan Son of
Raj Kumar Paswan R/O Vill.- Khajurbani, P.S.- Dighwara, Dist.- Saran At
Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-12-2024 Heard the parties.

2. The petitioner is in custody in connection with
Dighwara P.S. Case No. 252 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act
lodged on 16.07.2024 by the informant, Vijay Kumar.

3. As per the prosecution story, the informant alleged
that the Police upon information intercepted and recovered 200
liters of country-made liquor near the sand dunes of Ganga
which led to the FIR.

4. Learned counsel for the petitioner submits that only
because of this criminal antecedent, the chowkidar has
implicated him. Further, he is in custody since 01.10.2024
(paragraph-4 of the petition) and the last submission is that
without accepting the allegation and/or the outcome of the
present case, he intends to contribute Rs. 10,000/- to the District



Legal Services Authority, Saran at Chapra for the purchase of Steel Benches for the Civil Court Campus of Saran at Chapra Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the aforesaid facts as also that he is in custody since 01.10.2024 and has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Saran at Chapra for the purchase of Steel Benches for the Civil Court Campus of Saran at Chapra Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the purchase be submitted to the trial Court by the DLSA, Saran.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 1st Exclusive Special Judge Excise Court Saran at Chapra, in connection with Dighwara P.S. Case No. 252 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 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.

(Rajiv Roy, J)

Adnan/-

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