

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86095 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- SUPPI District- Sitamarhi

Manoj Paswan S/o Nandlal Paswan Resident of village- Jamala Barharwa,
P.S.- Suppi District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard Mr. Ranjeet Kumar Mishra, learned counsel
for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 317(5) of
B.N.S., 2023 and Section 30 (a) of the Bihar Prohibition and
Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 300 litres of Nepali liquor is
said to have recovered from the place of occurrence. He submits
that from perusal of the entire prosecution case, except
petitioner's name came on the basis of statement of apprehended



co-accused, no material has come against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Suppi P.S. Case No.185 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to



how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyer's Association Welfare Benevolent Fund.

7. However, the learned Court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bonds. If it is found that the petitioner is involved in any other case prior to the present case his bail bonds shall not be accepted.

(Anjani Kumar Sharan, J)

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