

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2607 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- KATEYA District- Gopalganj

Sunil Paswan @ Pintu S/o- Late Shayam Sundra Paswan R/o Vill- Dumari
Swargipati, P.S- Hata, Dist- Kashinagar, State U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Kateya P.S. Case No.497 of 2023, lodged on 24.11.2023, under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per the prosecution, two persons were made
accused. One is the petitioner and another is the owner of the
vehicle from whose possession total recovery of 129 liters of
liquor was made.

4. Learned counsel for the petitioner submits that the
petitioner is alleged to be driver and he is completely unaware
that what is loaded in the car. He submits that antecedent of the
petitioner is clean. He is in custody since 25.11.2023. Counsel



further submits that the said recovery has been made from the dicky of the vehicle. The key of the dickey was with the owner of the vehicle.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Excise Court-I, Gopalganj, in connection with Kateya P.S. Case No.497 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds by the Trial Court itself;



(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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