

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79323 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- SHIVSAGAR District- Rohtas

Sukar Pasi @ Ajit Pasi Son of Chela Pasi Resident of Village - Vishrampur,
P.S. - Shivsagar (Baddi), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-02-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Shivsagar (Baddi) P.S. Case No. 345 of 2024 for the offence registered under section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022 on 25.07.2024 by the informant Anil Kumar Paswan.

3. As per the prosecution story, the informant has alleged that on 25.07.2024, in course of information of illicit liquor, a raid was made in the village Baddi and one motorcycle rider was intercepted who chose to escape but was apprehended.



He gave his name as Basu Kumar and there was recovery of 18 litre of illicit Mahua liquor. He further disclosed that the same has been purchased from the petitioner, who sells the liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from Basu Kumar, who named him and in that background, the petitioner deserves anticipatory bail.

5. Learned APP on the other hand has taken this Court to Paragraph No. 3 of the petition to show that he has two criminal antecedent of the same nature and allegation is that he is the person who was selling the liquor.

6. Considering the aforesaid facts, it would be appropriate that he seek bail. His anticipatory bail petition stands rejected.

7. Having passed the order, this court is at pains to take note of the fact that though the Stamp Reporter/office concerned put a note above a case to be 'TIED UP' matter and accordingly, places it before a particular Bench, no order which prompted him/her to write 'TIED UP' is attached in its support. When the petitioner too chooses not to provide the order, in



every such case, the Court Master is being requested to get a print out of the order to check and go through the earlier order.

7A. Considering the aforesaid facts, on **27.01.2025**, in **Criminal Miscellaneous No. 75290 of 2024 (Siyaram Sharma Vs. the State of Bihar)**, this Court had directed the office to ensure that henceforth any file which is placed before any Bench as a 'TIED UP' matter and/or by way of Circular No. 01 of 2024; once the case is marked, the connected order must be attached with the file.

8. The relevant paragraphs of the order dated 27.01.2025 passed in Criminal Miscellaneous No. 75290 of 2024 have been quoted hereinbelow:-

“7. Having disposed of the petition, this Court has to record the disturbing fact. It has become a habit of the office to place the matter as a 'Tied Up' case after putting a tick on an earlier order without attaching the said order. In every such case, the Court Master is being requested to get a print out of the order to check and go through the earlier order.

8. This Court repeatedly requested the Joint Registrar (List) to do the needful and issue necessary directions so that when the Office/Stamp Reporter places a file as a 'Tied Up' matter and if the petition is bereft of the said order, a copy of the said order to be attached for



the convenience of the Bench. However, the Joint Registrar (List) despite assurances given earlier has chosen to look the other way.

9. In that background, an order is being passed today that henceforth any file which is placed before any Bench as a 'Tied Up' matter and/or by way of Circular No. 01 of 2024, once the case is marked, accordingly, the connected order passed must be attached with the file.

10. Office to comply the order immediately effective 01.02.2025."

9. Unfortunately, today it is 28.02.2025 and the order has not been complied inasmuch as for the last four weeks, this Court is struggling with the 'TIED UP' cases as it is being listed everyday to get a print out so that the same can be perused and an appropriate order is passed accordingly.

10. In that background, the office/concerned section is/are directed to submit show cause as to why the order dated 27.01.2025 is being regularly violated/not complied when a direction was given as recorded in Paragraph No. 9 of the aforesaid order. This Court will contemplate further action/steps to be taken once the show cause is received.

11. List this case under the heading '**To Be Mentioned**' on 19.03.2025 to peruse the show cause.



12. Let a copy of the order be handed over to the Joint Registrar (List) for his perusal and needful.

(Rajiv Roy, J)

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