

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19312 of 2020**

Arising Out of PS. Case No.-21 Year-2019 Thana- DELHA District- Gaya

CHOTU PASWAN S/O Late Sanjay Paswan Resident of Village - Bageshwari
Bambaba Sthan, Police Station - Delha and District - Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 05-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in Delha PS Case No. 21 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

180 litres of Jharkhand made liquor is said to have been recovered leading to the petitioner's implication.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The recovery is from a water tank having general public access and not from the petitioner. The petitioner is on bail in the other cases pending



against him bearing Delha PS Case No. 241 of 2019. In the instant case he is in custody since 20.1.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions this Court is inclined to allow bail to the petitioner.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Gaya in Delha PS Case No. 21 of 2019 subject to the following conditions:-

(i) 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. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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