

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22146 of 2020**

Arising Out of PS. Case No.-40 Year-2020 Thana- DHAKA District- East Champaran

=====

BRAHAMDEO PASWAN Son of Late Mahadev Paswan Resident of Village  
- Jhauram, P.S. - Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.A.G

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      25-08-2020                      This matter is taken up for consideration through  
  
Video Conferencing under the orders of Hon'ble the Chief  
  
Justice.

Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner seeks bail in Dhaka P.S. Case No. 40 of  
2020, registered for the offence punishable under Section 30(a)  
of the Bihar Excise Act, 2016.

111 litres of Nepali liquor is said to have been  
recovered from the house of this petitioner.

It is submitted that petitioner has falsely been  
implicated in this case merely on suspicion. Nothing has been  
recovered from conscious possession of this petitioner. The  
provision of section 100 Cr.P.C has not been followed. The



petitioner is in custody since 24.01.2020 having clean antecedent

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, East Champaran at Motihari in connection with Dhaka P.S. Case No. 40 of 2020 subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Prabhat Kumar Singh, J)**

vinita/-

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