

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27378 of 2020**

Arising Out of PS. Case No.-583 Year-2019 Thana- GAYA KOTWALI District- Gaya

Ranjeet Paswan, son of Late Bhola Paswan @ Late Baleshwar Paswan,
Resident of Mohalla-Murali Hill Pahad, P.S.-Kotwali, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pd. Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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

2 21-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

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.

Mr. Madan Kumar, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

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

The petitioner seeks bail in connection with



Kotwali P.S. Case No.583 of 2019 registered for the offence punishable under Sections 30(a) and 37(2) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is in custody since 16.03.2020 for alleged recovery of 400 litres country-made *Mahuwa* from his house.

It is submitted that the petitioner has falsely been implicated in this case. The seizure and investigation is not by the competent authority and the entire prosecution is wholly false and illegal. The recovery is from the house of the petitioner in which other also resides.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 court of learned Special Judge, Excise Act, Gaya, in connection with Kotwali P.S. Case No.583 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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