

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24349 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- PATLIPUTRA District- Patna

BAUWAA PASWAN @ BAUAA JEE @ BAUWAA PASWAN S/O Late
Dina Paswan R/O Mohalla - Rajapur Patli Gali, P.S. - Shri Krishna Puri,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party/s : Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-09-2020 Heard Mr. Dilip Kumar Tondon, learned counsel for
the petitioner and Md. Aslam Ansari, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Patliputra P.S. Case No. 84 of 2020 (Special Case No. 1706 of
2020) registered for the offence punishable under Section 30(a)
of the Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police on getting secret
information that huge quantity of illicit foreign liquor is coming
from the tempo from Rajapul towards Nehru Nagar, proceeded
towards the place of occurrence and intercepted one Tempo
bearing registration No.BR01Q-8810. On seeing the Police



party two persons managed to flee away from the tempo and one lady found sitting in the tempo was arrested by the Police. She disclosed the name of petitioner. On search, a total quantity of 51.255 litres of illicit liquor has been recovered from the Tempo.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of statement made by the co-accused Gita Devi. Learned counsel further submits that nothing has been recovered from conscious possession of the petitioner and petitioner is not the owner of the tempo. Simply the petitioner had hired the tempo along with the co-accused Gita Devi (wife of petitioner). Learned counsel also submits that Gita Devi has already been granted bail by co-ordinate Bench of this Court vide order dated 29.06.2020 passed in Cr. Misc. 21158 of 2020. Petitioner is in custody since 14.05.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that petitioner has got criminal antecedent of similar nature, I am inclined to grant regular bail to the petitioner **after framing of charge.**

Accordingly, let the petitioner, above named, be



released on regular bail, **after framing of charge**, on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Patliputra P.S. Case No. 84 of 2020 (Special Case No. 1706 of 2020) on the following condition:

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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