

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36550 of 2021**

Arising Out of PS. Case No.-44 Year-2021 Thana- GORAUL District- Vaishali

Mukesh Paswan @ Mukesh Kumar Son of Jatai Paswan Resident of Village -
Rajkhand, P.S.- Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad

For the Opposite Party/s : Mr.J.N. Thakur, APP

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

3 28-09-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Goraul P.S. Case No. 44
of 2021, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

200 litres of country made liquor has been recovered
from bamboo clump situated behind the temple and this
petitioner is said to have identified by the local Chowkidar and
petitioner and others are alleged to have kept the liquor.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from open place which is accessible to general public. Petitioner
has no concern with the seized liquor. Petitioner is in custody
since 02.03.2021 having no criminal antecedent, as stated in



para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Goraul P.S. Case No. 44 of 2021, 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)

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