

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.414 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- JAYNAGAR District- Madhubani

Shrawan Paswan, son of Sobhi Paswan @ Yogi Paswan, Resident of Village-
Garitole, Ward No.12, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jaynagar
P.S. Case No.334 of 2020 instituted for the offence punishable
under Sections 272, 273, 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 54.9 litres illicit liquor was being
carried in the country from Nepal on a motorcycle.

The petitioner's counsel submits that the petitioner
has no concern with the motorcycle or the recovered alleged
illicit liquor. He is a resident of the locality and was present at
the place bona fide where he has become a victim of
circumstances. The seizure is not in accordance with the
mandatory procedure. The petitioner continues to be in custody



since 11.09.2020, which he has stated as 11.09.2000 due to typographical error in paragraph 8 of the petition.

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

Considering the rival submissions, this Court is inclined to allow 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Jaynagar P.S. Case No.334 of 2020, 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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