

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8893 of 2021**

Arising Out of PS. Case No.-295 Year-2020 Thana- BARAUNI District- Begusarai

Sushil Paswan Son of Kailash Paswan, R/o Mahna (Nurpur), P.S.- Barauni
Refinary, Distt.- Begusarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

2 30-06-2021 In view of sudden surge of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

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

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

Petitioner seeks bail in Barauni Refinery P.S. Case
No. 295 of 2020 registered for offence punishable under section
30 (A) of the Bihar Prohibition and Excise Act.

From the house of the petitioner 43.125 litres illicit
liquor has allegedly been recovered. The recovery, as per
submission of petitioner's counsel, is from a joint family



property and the procedure is not in accordance with law. The petitioner has no criminal antecedent and he is in custody since 10.08.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Begusarai in Barauni Refinery P.S. Case No. 295 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 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.

(Madhuresh Prasad, J)

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