

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9095 of 2021**

Arising Out of PS. Case No.-375 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Amodh Paswan Son of Vibhai Paswan, R/o Village- Mura Chhatauna, Ward
No.06, P.S.- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Chandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 In view of sudden resurgence 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 Complaint Case No. C-2/375

of 2020 registered for offence punishable under section 30 (a)

of the Bihar Prohibition and Excise Act, 2016.

The Seema Suraksha Bal party has seen a group of



persons coming from Nepal side. The petitioner has been apprehended while others have fled away. There is alleged recovery of 153 litres Nepali liquor from his possession.

Petitioner's counsel submits that the persons carrying the liquor fled away. The petitioner being a bona fide passerby has become a victim of circumstances, he has no criminal antecedent and is in custody since 10.10.2020.

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 2nd A.D.J.-cum-Special Judge, Excise Act, Sitamarhi in Complaint Case No. C-2/375 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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