

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2559 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- RAJAPAKAR District- Vaishali

Dharam Paswan Son Of Kaleshwar Paswan R/O Village- Gauspur Bariyarpur,
P.S.- Rajapakar, District- Vaishali

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2022 Heard counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajapakar P.S. Case No. 38 of 2021 lodged under Sections
30(a)/41(i) of Bihar Prohibition and Excise Act, 2018.

As per the allegation made in the F.I.R., the total
recovery of 410 liters mahua wine were made in this case.

Learned counsel for the petitioner submits that it is
very clear from the seizure list that the entire recovery of 410
liters of mahua wine has taken place either from the hut of
Dablu Kumar or from the different motorcycles. He further
submits that none of the motorcycle or hut belongs to the
petitioner and it is due to this reason recovery was not made
from his conscious possession. Petitioner is in custody since

19.06.2021 and charge sheet has already been filed. He also submits that there is only one case of similar nature pending against the petitioner.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case and after perusal of the records as well as this aspect that charge sheet has already been submitted and petitioner is in custody since 19.06.2021, let the petitioner above named, be granted bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 38 of 2021.

Learned counsel for the petitioner submits that he is ready to file an affidavit before the trial court that he shall not involve in such types of activity in future at the time of furnishing his bail-bond.

The prosecution is at liberty to file cancellation of bail, in case the petitioner violates his undertaking.

(Dr. Anshuman, J)

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