

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15340 of 2022**

Arising Out of PS. Case No.-207 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

=====

CHANDRA SEKHAR PASWAN Son of Upender Paswan Resident of Village
- Charma, P.s.- Masaurhi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Excise
Case No. 207 of 2021 registered for the offence under Sections
30(a) and 32(2)(3) of the Bihar Prohibition and Excise Act,
2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.10.2021.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there was total recovery



of 64.5 litres of illicit country made foreign liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is no way connected with the alleged vehicle i.e. Maruti Ecco from where recovery has been made. It has further been submitted that the petitioner was driver and nothing surfaced during course of the investigation, which may suggest that petitioner was under knowledge of the consignment of illicit liquor. It has further been submitted that the petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was the driver of the alleged car.

Considering the facts and circumstances as mentioned above, as nothing has been recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Excise Case No. 207 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Judge (Excise), Saran, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Sharda Devi, who is the daughter of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen-

U		T	
---	--	---	--

