

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24001 of 2022

Arising Out of PS. Case No.-250 Year-2021 Thana- Biraul District- Darbhanga

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Arun Paswan Son Of Sri Gajendra Paswan R/O Village- Dhakjari, P.S.-
Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2022 Heard the parties through video conferencing.

Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Biraul P.S. Case No. 250 of 2021 lodged under Section 30(a)
Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total 1143 litres english
vine alleged to be recovered in this case.

Learned counsel for the petitioner submits that
nothing was recovered from the possession of the petitioner.
Petitioner is not apprehended from place of occurrence which
his name was figured in this case by virtue of the statement of

local chaukidar. He further submits that petitioner is in custody since 07.03.2022, charge sheet has already been filed. On the point of his clean antecedent, he submits that the earlier case was also a false case but he is on bail in the said case and ready to obey the conditions imposed by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)- II, Darbhabga in connection with Biraul P.S. Case No. 250 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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