

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47311 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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Bulbul Paswan @ Bulbul Kumar Paswan S/o- Saryug Paswan R/o vill -
Raundi, P.S.- Arari, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Excise Case No. 89 of 2021 lodged under Section 30(a) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery of 60
litres of *desi wine* is made from the motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that he was not named in the F.I.R. but subsequently, his
name has figured in this case by the prosecution report due to

the reason that he is the owner of the motorcycle. Learned counsel submits that he is in custody since 13.05.2022. There are 3 criminal cases pending against him and he is on bail in all the 3 cases.

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 A.D.J.-II, Sheikhpura in connection with Excise Case No. 89 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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