

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50017 of 2022

Arising Out of PS. Case No.-750 Year-2021 Thana- FATUA District- Patna

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Kedar Paswan S/O Jagat Paswan, Resident Of Village- Thegue, P.S.- Fatuha,
Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar 'V.Kumar', Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-11-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Fatuha P.S. Case No. 750 of 2021 lodged under Sections 30(a)
and 56(c)of Bihar Prohibition and Excise Act, 2018.

As per prosecution case, total recovery of 10 liters of
desi *Mahua* wine is the subject mater of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. It is alleged
that 10 liters of desi *Mahua* wine has been recovered from the
house of the petitioner. Counsel further submits that it is a place
in a house which is situated in public domain and many persons

used to come and go from the said place. He further submits that petitioner is in custody since 25.06.2022 and there are 3 criminal cases pending against the petitioner 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 Additional Special Judge, Excise Act, Patna City in connection with Fatuha P.S. Case No. 750 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 an 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.)

ravishankar/-

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