

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50586 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Mithu Paswan S/O Rajdeo Paswan @ Rajdev Paswan Resident of village-
Kudarkat, P.S.- Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Jagdher Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2022 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
Chhauradano P.S. Case No. 78 of 2022 lodged under Sections
188, 272, 273, 420, 308 of the I.P.C. read with Sections 30(a),
32, 41(i) of Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery of 570
litres Nepali wine was alleged to be made in this case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the alleged Nepali wine was recovered near Bathan of

Premshankar Yadav and not from the possession of the petitioner. He has been unnecessarily made accused in this case. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and he is in custody since 20.06.2022, charge sheet has already been filed in this case.

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 Exclusive Judge, Excise Court No.2 East Champaran, Motihari in connection with Chhauradano P.S. Case No. 78 of 2022, 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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