

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63021 of 2021**

Arising Out of PS. Case No.-408 Year-2021 Thana- WAJIRGANJ District- Gaya

Kundan Kumar Paswan, S/O Ram Sundar Paswan, R/o village- Sindhiyapur,
P.S.- Naya Ramnagar, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

4 24-06-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Wazirganj P.S. Case No. 408 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per allegation, 719.250 liters of foreign liquor was recovered from the Tata Pick Up Van, which was being driven by the petitioner, however, learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner being



driver of the said vehicle has no knowledge about the seized contraband liquor. The petitioner is in custody since 09.09.2021 and is having clean antecedent.

Learned APP has opposed the prayer for bail, submitting that a huge quantity of illegal liquor was recovered from the vehicle in question which was being driven by the vehicle.

Having regard to the submissions made hereinabove and considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Wazirganj P.S. Case No.408 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to



be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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