

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53166 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- NARPATGANJ District- Araria

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Raju Paswan @ Raju Kumar S/O Ful Chand Paswan Resident of Village-
Nawabganj, P.S.-Fulkaha, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-11-2022 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
Narpatganj (Bathnaha) P.S. Case No. 228 of 2022 lodged under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 210 litre
Nepali wine is the subject matter of the present case.

Learned counsel for the petitioner submits that from
the seizure list, it transpires that the said recovery was made
from Khuriya Tola near border of Nepal and not from the
possession of the petitioner. Counsel submits that petitioner is in
custody since 25.05.2022. There is one criminal case pending

against the petitioner in which he is on bail. 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 Special Judge Excise-1st, Araria in connection with Narpathganj (Bathnaha) P.S. Case No. 228 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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