

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60223 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- KARAKAT District- Rohtas

Bhola Paswan (M), aged about 36 years, S/O Late Birendra Paswan, Resident of village- Sakala, P.S.- Karakat, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shankar Kumar, Adv.
For the State : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-11-2022 Incidentally, this case is listed and is being heard as the first case in today's inaugural paperless court proceedings of this High Court.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in Karakat P. S. Case No. 90 of 2022, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The case of petitioner is that on 09-06-2022 the police have received secret information regarding two persons moving with illicit liquor. They have thereafter reached the place of occurrence from where the petitioner along with one co- accused, namely, Ram Ishwar Ram has been arrested.

The learned counsel for the petitioner submits that 40 liters *Mahua* liquor is alleged to have been recovered from



the petitioner. For such allegation, he has remained in custody since 10-06-2022. He has no antecedent and the co-accused, namely, Ram Ishwar Paswan has been allowed bail by the learned Court below on 24.08.2022. It is further submitted that the petitioner has falsely been implicated in this case. He has no concern with recovered illicit liquor, which is not supported by the seizure as per law.

The learned APP submits that the petitioner has been arrested with liquor in his possession and therefore opposes the prayer for bail.

Considering the rival submissions, the quantum of recovery and the period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise), Court No.1, Rohtas at Sasaram, in connection with Karakat P. S. Case No. 90 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of



the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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