

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3216 of 2023**

Arising Out of PS. Case No.-125 Year-2022 Thana- SATHI District- West Champaran

AMOD PASWAN Son of Late Bikau Paswan @ Vikau Paswan R/V-  
Somgarh, P.S- Sathi Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      17-04-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 30 (a) of the Bihar  
Prohibition and Excise Act, 2016.

Allegedly, on the basis of a video clip, petitioner as well  
as other accused persons has been made accused in the present  
case.

It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. No  
incriminating article has been recovered from the conscious  
physical possession of the petitioner. Petitioner has no concern  
with any trade of liquor. The allegation levelled against the  
petitioner is not specific rather general and omnibus in nature.



Petitioner has been falsely implicated in this case due to police mechanism. No recovery of illicit liquor was ever made and seized. He was not apprehended on the spot. He had not consumed liquor. It is further submitted that SHO of Police Station Sathi and IO are present before the Court and submits that details regarding the allegation against the petitioner have not been mentioned in the FIR by mistake and inadvertently. Petitioner has three criminal antecedents, one of them is of similar nature of offence under Excise Act as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) each in account of Bihar State Bar Council Welfare Fund, bearing Account No. 31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection



with Sathi P.S. FIR No. 125 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Bihar State Bar Council Welfare Fund.

The personal appearance of the SHO of Police Station Sathi and IO is dispensed with.

**(Anjani Kumar Sharan, J)**

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