

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27407 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- ROSERA District- Samastipur

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Mohan Paswan @ Moni Son of Late Dinesh Paswan, Resident of Village-
Panjiyar Toli, P.S.-Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-06-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rosera P.S. Case No. 78 of 2023 dated 30.01.2023 lodged under
Section 30(a) of Bihar Prohibition and Excise Act, 2022.

As per the prosecution, total 9.750 liter of wine has
been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that there is
one criminal case pending against the petitioner in which he is
on bail and he is in custody since 31.01.2023.

Learned counsel for the State opposes the prayer for
bail and submits that the said recovery has not been made in

individual capacity. From the allegation made in the F.I.R. it transpires that petitioner is seller of the wine.

Upon specific query from the counsel for the petitioner that whether charge has been framed in this case or not, counsel fairly submits that as per his knowledge charge has not been framed.

In this view of the matter, I am not inclined to grant bail to the petitioner. Therefore, bail petition of the petitioner is hereby rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and trial Court is directed to release him on bail imposing its own condition so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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