

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45391 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- MAINATAND District- West Champaran

Parma Paswan S/O Chokat Paswan R/O Village- Pakuhawau, Ps. Mainatand,
Dist. West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
01.03.2023, in connection with Mainatand P.S. Case No. 31 of
2023, F.I.R. dated 28.02.2023 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Recovery is of 144 litres of *Nepali* liquor.

4. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. as well as seizure list that altogether 144
litres of *Nepali* liquor was recovered from the possession of the
petitioner and other co-accused persons. He further submits that



total 27 litres of Nepali liquor was recovered from the possession of the petitioner and there is non compliance of Section 100 of the Cr. P.C. The petitioner is in custody since 01.03.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Act, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 31 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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