

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51345 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- NADI P.S. District- Patna

CHHOTU PASWAN @ CHHOTE PASWAN S/O LATE RAM SWAROOP
PASWAN @ SUFI PASWAN R/O VILLAGE- SAMMASPUR, P.S- NADI,
DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Nadi P.S. Case no.179 of 2023 instituted under Section 30(a) of Bihar Prohibition & Excise Amendment Act, 2018 lodged on 20.05.2023 by the informant Bashant Ram.

As per the prosecution story, from the cowshed of Chandrika Ray 555.88 liters English wine is recovered, he was arrested from the spot and named this petitioner.

It is the case of the petitioner that admittedly, the recovery is from cowshed of Chandrika Ray, he has nothing to do with it and only to drag him in the case, his name has been confessed by said Chandrika Ray. His last submission is that Chandrika Ray has since been granted bail vide Cr. Misc. No.37720 of 2023.



Learned APP opposes the prayer for bail.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that the person from whose cowshed the alleged recovery was made has since been granted bail, as stated above, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Nadi P.S. Case no.179 of 2023 to the satisfaction of learned Special Judge Excise, Patna City, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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