

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65750 of 2022

Arising Out of PS. Case No.-429 Year-2022 Thana- BARHARA District- Bhojpur

Bachcha Ji Paswan, aged about 35 years, Male, Son Of Late Rampukar
Paswan R/O Village- Gundi, P.S.- Ara Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Barhara P.S. Case No. 429/2022 registered for the offence punishable under Section 30(a) of Bihar Excise & Prohibition Act, 2018.

One ninety two (192) litres of illicit liquor has been recovered from the vehicle.

Learned counsel for the petitioner submits that his temporary professional services were hired by the owner for the day, to drive the vehicle in question from which the recovery has been made. He was unaware of the illicit liquor being laden in the vehicle. It is submitted that investigation is complete. Having no criminal antecedents, he is in custody since 11.06.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, period of custody, clean antecedents and the fact that investigation is



complete, 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 Excise Court No.1, Bhojpur, Ara, in connection with Barhara P.S. Case No. 429/2022, 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.

rajkishore/-

(Madhuresh Prasad, J)

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