

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62953 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- Excise P.S. District- Aurangabad

JUGESH PASWAN Son of Jagrup Paswan R/o vill - Mahadeva, P.O. -
Tejpura, P.S. - Obra, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Singh, Advocate.

For the Opposite Party/s: Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32(1) and 32(3) of Bihar Prohibition and Excise (Amendmnt) Act, 2018.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious possession of the petitioner rather 1 liter of illegal country made liquor is said to have been recovered from the Motorcycle. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has two criminal antecedents of similar nature of offence. The place of recovery is an open place and easily accessible to anyone.



The petitioner has falsely been implicated in the present case with oblique motive. There is no recovery from conscious possession of the petitioner nor he was related at any point of time to the occurrence.

4. The petitioner is agreed to deposit a sum of Rs.15,000/- (Rupees Fifteen thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. 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 Daudnagar Excise P.S. Case No. 82 of 2023, subject to the condition as laid down under Section 438(2) of the Cr. P.C., subject to the further condition that;

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

(ii) The petitioner shall not



*indulge himself in any similar offence till
conclusion of the trial.*

6. The bail bond of the petitioner shall be accepted
by the learned Court below on showing receipt of deposit of the
aforesaid amount in the account of Patna High Court Legal
Services Committee, Patna.

(Anjani Kumar Sharan, J)

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