

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10375 of 2024

Arising Out of PS. Case No.-105 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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GUDDU PASWAN S/O SAKAL PASWAN @ RAMSAKAL PASWAN R/O
VILLAGE- TAAL EGHARA, WARD NO. 9, P.S- KHANPUR, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Excise Case No.105 of 2020 registered for the offence under
Sections 30(a) (c) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 27 litres of
illicit liquor and 300 liter of jugglery solution from behind the
house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrested
on spot. It is submitted that recovery of alleged illicit liquor was



not made from conscious physical possession of the petitioner rather the same was recovered from behind the house of the petitioner, which is an open place and accessible to general public. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 22.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Excise Case No.105 of 2020 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.2, Samastipur.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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