

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7576 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- KALUAHI District- Madhubani

Amir Kumar Paswan Son of Late Ramdev Paswan R/o vill - Sanaul, P.S. - Sakri, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Kaluahi P.S. Case No.235 of 2023 registered for the offence under Sections 273 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 68.760 litre of illicit liquor, which was made during search of bags loaded with a motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner and he has no concern with the alleged recovery



of illicit liquor. It is also submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent as mentioned in paragraph no.3 of the bail petition and he is in custody since 13.11.2023.

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 Kaluahi P.S. Case No.235 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Madhubani.

7. However, 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.

(Ramesh Chand Malviya, J)

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