

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11475 of 2024

Arising Out of PS. Case No.-175 Year-2023 Thana- SANHAULA District- Bhagalpur

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Amarjeet Paswan, aged about 23 years, Gender-Male, Son of Sildhar Paswan
@ Sridhar Paswan Resident of Village-Chak Mathura, P.S.-Dhoriya, District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 23-02-2024 Heard learned counsel appearing on behalf of the

parties.

2. The petitioner seeks bail in connection with San-
haula P.S. Case No.-175 of 2023 registered for the offence pun-
ishable under Section 414 of the IPC and Sections 30(a) of the
Bihar Prohibition and Excise Act, 2026.

3. As per allegation in the FIR, total 25 liters of
mahua wine was recovered.

4. Learned counsel appearing on behalf of the peti-
tioner has submitted that petitioner has falsely been implicated
in this and he has no concern with the alleged recovery and
nothing has been recovered from the conscious possession of
the petitioner. He next submits that on perusal of seizure list
there was no independent witness. Petitioner has got clean an-
tecedent as stated in para-3 of the petition and he is in custody
since 12.11.2023.



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

6. Considering the facts and circumstances and alleged liquor has not been recovered from the conscious physical possession of this petitioner, let the petitioner, above named, is directed to be released on bail *after framing of the charge* in connection with Sanhaua P.S. Case No.175 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 Exclusive Special Excise Judge-II-cum-ADJ-XII, Bhagalpur.

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)

Brajesh Kumar/-

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