

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13826 of 2024**

Arising Out of PS. Case No.-553 Year-2022 Thana- GORAUL District- Vaishali

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Ajay Paswan S/o Amarjeet Paswan @ Anarjeet Paswan R/o vill - Murgia  
Chak Sarangi, P.S. - Bhagwanpur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Aniket Singh, Adv.

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

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

ORAL ORDER

2      28-02-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with Goraul P.S Case No. 553 of 2022 registered for the offences punishable under Sections 30(a), 32(ii), 38(ii)/41(i) of Bihar Prohibition and Excise (Amendment) Act, 2018 and Section 272/273 of the IPC.

3. As per prosecution case, altogether 1017 litres of illicit country made foreign liquor was recovered from a pickup van, a Maruti Car and two motorcycles.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of secret information. It is further submitted that no incriminating



article has been recovered from the conscious possession of the petitioner, neither he was arrested on the spot. Learned counsel for the petitioner next submits that the perusal of the seizure list reveals that there is no independent witness to the said seizure. The petitioner has got no criminal antecedent as stated in para-3 of the present petition and he is stated to be in custody since 05.01.2024.

5. However, learned APP for the State opposed the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail after framing of the charge on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I-cum-Additional Sessions Judge, Vaishali at Hajipur, in connection with Garaul P.S Case No. 553 of 2022.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 petitioner shall be released on bail on the above conditions and he shall be 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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