

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13957 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- NTPC District- Bhagalpur

Shankar Paswan Son of Baishakhi Paswan Resident of Village- Akbarpur,
P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

**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
NTPC P.S Case No. 5103065230081 of 2023 registered for the
offences punishable under Sections 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2022.

3. As per prosecution case, altogether 175 litres of
illicit country made liquor was recovered from a Tempo having
no registration number.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that no incriminating article has been recovered from
the conscious possession of the petitioner. Leaned counsel for



the petitioner next submits that the perusal of the seizure list reveals that there is no independent witnesses 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 23.12.2023.

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 Special Judge, Excise-II, Bhagalpur in connection with NTPC P.S Case No. 5103065230081 of 2023.

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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