

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18160 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SUGAULI District- East Champaran

Tej Mohan Paswan @ Tejaman Paswan S/o Late Bagad Hazra R/o Village-
Fulwariya, P.S.- Sugauli, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No.01 of 2024 instituted for the offences punishable
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 31 liters of illicit
country made liquor was recovered from possession as well as
motorcycle bearing registration no. BR-05Z-9248 of the
petitioner and co-accused.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has no concern with the



alleged recovered liquor and motorcycle. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The other co-accused namely, Ram Prakash Kumar has already been granted bail by this Bench vide order dated 28.02.2024 passed in Cr. Misc. No. 13553 of 2024. Petitioner is languishing in judicial custody since 01.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. I, East Champaran at Motihari in connection with Sugauli P.S. Case No.01 of 2024.

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 petitioner shall be released on



bail on 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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