

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22372 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. AKHILESH PASWAN, Male, Aged about 28 years, Son of Mahesh Paswan Resident of Village-Baldharwa (Balatharwa), P.S.-Piprakothe, District-East Champaran.
2. DHARMVIR PASWAN, Male, aged about 40 years, Son of Bishundeo Paswan Resident of Village-Baldharwa (Balatharwa), P.S.-Piprakothe, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Umesh Lal Verma

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

ORAL ORDER

2 20-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with Piprakothi P.S. Case No.21 of 2024 registered for the offence under Sections 467, 468, 471, 414, 272, 273 and 308 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 50 litre of illicit liquor from joint possession of the petitioners.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been



implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioners and they have no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioners are in custody since 06.02.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Piprakothi P.S. Case No.21 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, East Champaran at Motihari.

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 petitioners shall be released on bail on furnishing bail bond with further



condition that the petitioners have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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