

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21256 of 2024

Arising Out of PS. Case No.-15 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Shankar Paswan Son of Bindeshwar Paswan R/V - Akabarpur Ward No.-11,
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioners : Mr. Ajay Kumar, Advocate

For the State : Mr. Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 15 of 2023 instituted for the offence under Section
47(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, there is recovery of 22
liters country made liquor from the house of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-01-2024. Petitioner
bears four criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovery. Notice was issued under Section 82 of the Cr.P.C. Petitioner surrendered before the court below on 29-01-2024. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 15 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to



cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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