

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25367 of 2024

Arising Out of PS. Case No.-110 Year-2021 Thana- NADI P.S. District- Patna

Chotu Paswan S/o Late Sukti Paswan @ Ram Surup Paswan R/o vill -
Sammaspur, P.s. - Nadi, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Ravish Mishra
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nadi
P.S. Case No. 110 of 2021 instituted for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 18.2 litres
liquor was recovered from an open place which was contained
in a polythene bag.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case on the
disclosure of local people. The petitioner was not apprehended



on the spot. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from the from an open place. The petitioner has got no concern with the alleged recovery of liquor. Charge-sheet has been submitted in this case. The petitioner is in custody since 26.02.2024, and has five criminal antecedents in which two cases each he has been granted anticipatory bail and regular bail. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Nadi P.S. Case No. 110 of 2021, 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)

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