

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27130 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- Excise P.S. District- Jamui

Pawansut Kumar, aged about 20 years, Male Son of Binod Paswan @ Vinod Paswan, Residence of village Bedhna (Berhana), P.S.- Barh, District- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, App

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jam P.S. Case No. 55 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 217.500 liters of English Wine has been recovered from a cream colour Swift Desire.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case. Petitioner has no concern with the alleged liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 19.01.2024.

5. Learned APP opposes the prayer for bail.



6. From perusal of the FIR and the impugned order of the learned Exclusive Special Judge Excise-II, Jamui dated 29.02.2024, it appears that the petitioner has been implicated in this case besides he was sit besides driver of the seized vehicle and no independent witness of the seizure list, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Exclusive Special Judge Excise-IIInd, Jamui in connection with Jam P.S. Case No. 55 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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