

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28481 of 2024

Arising Out of PS. Case No.-154 Year-2020 Thana- Excise P.S. District- Samastipur

Sanjay Paswan, Aged about 40 years, Son Of Lakhichandra Paswan, Resident of Village- Aasinpur, Dhurlak, P.S. -Samastipur Muffasil, District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mr.Anish Chandra, APP

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

ORAL ORDER

2 16-04-2024 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. 154 of 2020 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 59.510 liters of illicit liquor and beer has been recovered from the house of the petitioner.

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. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Petitioner has surrendered before the trial Court on



29.02.2024 and since then he is languishing in judicial custody.

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-02, Samastipur in connection with Excise P.S. Case No.154 of 2020.

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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