

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37585 of 2024**

Arising Out of PS. Case No.-71 Year-2024 Thana- DHAKA District- East Champaran

Baidyanath Paswan @ Baidhyanath Paswan @ Baijnath Paswan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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

ORAL ORDER

2      21-05-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with Dhaka(Pachpakari) P.S. Case No. 71 of 2024 registered for the offences punishable under Sections 414 of the Indian Penal Code and 30(a), 41(1) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is a recovery of total 180 litres of illicit liquor from three motorcycles by joint possession of six FIR named accused person.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case.



He further submits that the petitioner surfaced in this case due to dirty village politics and by the instance of some influential persons who have inimical with the petitioner's family. He further submits that the petitioner is in custody since 20.02.2024 and similarly situated co-accused person has already been granted bail by this Court and other learned coordinate Bench of this Court passed in Cr. Misc. No. 28842 of 2024 and Cr. Misc. No. 30728 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount to the satisfaction of learned Exclusive Special Excise Court No.1 Motihari, East Champaran in connection with



Dhaka (Pachpakari) P.S. Case No. 71 of 2024.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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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