

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38509 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- SIKARHATTA District- Bhojpur

Dadan Paswan son of Late Sigashan Paswan Village- Harpur Ps- Sikarhata
Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sikarhata P.S. Case No. 40/2024 lodged on 02.04.2024 under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. As per the prosecution case, total recovery of 96
litres of country made liquor is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The alleged
recovery has not been made from the possession of the
petitioner rather it has been made near a mango tree situated at
the bank of Banas river which is an open place. The petitioner is



in custody since 02.04.2024 having clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner has been apprehended from the place of seizure.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Bhojpur, Ara, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(Dr. Anshuman, J.)

Ashwini/-

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