

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46529 of 2024

Arising Out of PS. Case No.-380 Year-2023 Thana- DESARI District- Vaishali

Karu Paswan @ Umesh Paswan @ Kallu S/O Kesho Paswan @ Kesho
Bhagat R/O Village-Jagdishpur,P.S.-Raghopur,Distt-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Desari (Chandpur OP) P.S Case No. 380 of 2023 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, total 420 litre illicit liquor was recovered from the car bearing Registration No. BR01BK 3022.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the



petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 01.03.2024. Similarly situated co-accused person, namely, Sonelal Rai has already been granted bail by this Court in Cr. Misc. No. 16522 of 2024 vide order dated 11.03.2024.

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 each to the satisfaction of learned Exclusive Special Excise Court No. 1 - cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Desari (Chandpura OP) P.S Case No. 380 of 2023.

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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