

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76591 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- JAYNAGAR District- Madhubani

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Vinod Paswan S/o Parikshan Paswan Resident of Village- Korahiya ward No. 10, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Jaynagar P.S. Case No. 243 of 2024 for the offence punishable under sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act lodged on 27.08.2024 by the informant, Santosh Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, the house of the petitioner was raided and there is recovery of 120 liters of Nepali wine. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather the said recovery is from a joint house, he is a labour and was outside in search of his work. The family member depends on



his earning and his jail custody [28.08.2024 (paragraph-12 of the petition)] is putting them to miserable life and the last submission is that he do not have any criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions as also the fact that nothing has been recovered from his conscious possession, is in custody since 28.08.2024 and do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, in connection with Jaynagar P.S. Case No. 243 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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