

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84139 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- JOGBANI District- Araria

DEEPAK PASWAN SON OF LATE MORANG PASWAN RESIDENT OF
VILLAGE - INDRA NAGAR, WARD NO.03, P.S. - JOGBANI, DISTRICT -
ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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

ORAL ORDER

4 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Jogbani P.S. Case No. 250 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 190 bottles total
19 liters of Eskuf Codeine Cough Syrup (Codeine Phosphate &
Triprolidine Hydrochloride Syrup) recovered from Tikuliya
Basti Ward No. 03 (Near BP No. 180101 WP – 62).

4. Learned counsel for the petitioner submits that the
petitioner is innocent, committed no offence and has falsely
been implicated in the present case. Nothing has been recovered
from the possession of the petitioner. The petitioner is in



custody since 09.10.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, seizure list, it appears that there is no signature of present petitioner as an accused in the seizure and no independent witness of seizure list and also perusing the case diary it also appears that charge sheet has already been submitted only for an offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016 and considering the submission made by the learned counsel for the petitioner, let the petitioner, above named, be released on bail ***after framing of charge*** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. 2, Araria in connection with Jogbani P.S. Case No. 250 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 condition 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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