

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31974 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

=====

RAJ KISHOR PASWAN S/o Bacha Paswan @ Vachan Paswan Resident of
village- Bakhari, PS- Kundwa Chainpur, Distirict- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Adv
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kundwa Chainpur P.S. Case No. 92 of 2025 registered for the offences punishable u/s 317(5) of the B.N.S and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 189 litres of illicit Nepali liquor was recovered from the sacks which were being kept on the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not the



owner of the said seized vehicle and he has no concern with the alleged recovery. It is next submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 26.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner was apprehended with the 189 litres of illicit Nepali liquor.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious physical possession of the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged on bail, on deposition of a sum of Rs. 5,000/- to the Patna High Court Legal Services Committee, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail-bond and thereafter on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, in connection with Kundwa Chainpur P.S. Case No. 92 of 2025, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

U		T	
---	--	---	--

