

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.463 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -MITHANPURA District- MUZAFFARPUR

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1. Suresh Paswan, son of Chhotelal Paswan, resident of Mohalla V.C. Gali,
Paswan Tola Mithapura, Police Station- Mithanpura, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Anand

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Mithanpura P.S. Case No. 123 of 2017 instituted for the offences
punishable under Sections 290/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition & Excise Act.

The case of the prosecution is that the police received a
secret information that a white car was standing near V.C. Lane,
Paswan Tola where 5-6 persons were trying to unload illicit liquor.
Thereafter, police went to the place of occurrence, however,
accused persons fled away and one of the said accused persons
was identified as the petitioner herein. It is alleged that 240 bottles
of various dimension were recovered from the said place



pertaining to illicit liquor.

The learned counsel for the petitioner submits that the petitioner is neither the owner of the said car nor any recovery has been made from his conscious possession nor he has been arrested from the spot. It is further submitted that the petitioner has a clean antecedent and he is languishing in custody since 20.09.2017.

Considering the nature of accusation, the period of custody undergone and the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Judge Excise at Muzaffarpur in connection with Mithanpura P.S. Case No. 123 of 2017.

(Mohit Kumar Shah, J)

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