

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7661 of 2019**

Arising Out of PS. Case No.-139 Year-2018 Thana- CHAKIA District- East Champaran

Ranjeet Paswan, aged about 25 years gender-male, Son of Munnilal Paswan  
@ Vunilal Paswan Resident of Village-Ahiraulya, P.S.- Chakiya, District-  
East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      11-02-2019                      Heard learned counsel for the petitioner and the  
State.

The petitioner is languishing in custody since 30.11.2018  
in a case registered for the offences punishable under Sections  
272 and 273 of the IPC Section 30(a)(c) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution case, as per the self statement of S.I.,  
Vinay Kumar Singh of Chakia Police Station recorded by  
himself on 03.07.2018 at 5.15 P.M., is to the effect that the  
informant found the truck in question parked near the godown  
of Shri Paswan. When the informant reached near the truck  
then, 3-4 persons started fleeing away, but on the chase being  
made, the driver of the truck was apprehended, who disclosed



his name as Lakhinder Mahto. In his confession he suggested the name of several persons including the petitioner, who were involved in smuggling of illicit liquor. From the truck in question, 1208 litres of foreign liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the conscious physical possession of the petitioner. It is further submitted that the name of the petitioner sprang up on the confessional statement of apprehended co-accused Lakhinder Mahto. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the state submits that the petitioner was found escaping from the place of seizure.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioner and investigation has already been concluded, the actual owner of the truck in question has not been ascertained, and the sample of the seized liquor has not been sent for chemical examination, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



like amount each to the satisfaction of learned 7<sup>th</sup> **Additional Session Judge-cum-Special Excise Judge, East Champaran at Motihari** in connection with **Chakiya P.S. Case No.139 of 2018.**

**(Dinesh Kumar Singh, J)**

Rahul/sunilkumar/-

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