

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28821 of 2020

Arising Out of PS. Case No.-223 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

RAJU KUMAR PASWAN Son of Suresh Paswan @ Suresh Pasi Resident of
Village- Mirganj, Hathua More, Ward No. -3, P.S.- Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr. Yogendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2020 The present petition has been taken up for consideration
through the mode of Video conferencing in view of the
prevailing situation on account of COVID 19 Pandemic,
requiring social distancing.

Heard the learned counsel appearing for the petitioner and
Shri Yogendra Prasad, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kuchaikote P.S. Case No. 223 of 2020 for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 89.305 litres of
illicit liquor from a motorcycle being driven by the petitioner
herein, after he was apprehended by the police.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 17.06.2020. It is further submitted that the motorcycle in question does not belong to the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and moreover the motorcycle in question, from which illicit liquor has been seized, does not belong to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Gopalganj in connection with Kuchaikote P.S. Case No. 223 of 2020.

(Mohit Kumar Shah, J)

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