

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36096 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- JHANJHARPUR District- Madhubani

Vivek Kumar Paswan S/o Munni Lal Paswan R/o Village- Belmohan, P.S.-
Phulparas, District- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Jhanjharpur P.S. Case No.
114/2020 (G.R. No. 800/20) instituted for the offences
under Sections 272 and 273 of the Indian Penal Code and
Section 30 (a) of the Bihar Prohibition of Excise Act, 2016.

It appears from the prosecution report that one
Guddu Paswan was arrested with six litres of locally brewed
liquor. The motorcycle which he was riding is said to belong
to the petitioner who is the brother of aforesaid Guddu
Paswan.

Learned counsel for the petitioner has submitted



that assuming but not admitting every fact in the prosecution report to be correct, there is no recovery from the possession of the petitioner and for the fault of the brother of the petitioner, he ought not to be made to suffer.

The petitioner has clean antecedents.

Considering the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Excise Act, Madhubani, in connection with Jhanjharpur P.S. Case No. 114/2020 (G.R. No. 800/20), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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