

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37997 of 2020

Arising Out of PS. Case No.-214 Year-2020 Thana- CHAUTHAM District- Khagaria

DIWAKAR PASWAN @ DIWAKAR KUMAR Son of Manoj Paswan
RESIDENT OF VILLAGE- SARAIA, P.S.- CHAUTHAM, DISTRICT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Chautham PS case no. 214 of 2020 instituted for the offences punishable under Section 30(a)(f), 32(3) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 153 liters of illicit foreign liquor from a Scorpio vehicle and the petitioner is alleged to be the owner of the said vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 01.09.2020. The learned counsel



for the petitioner has further submitted that the petitioner has not been apprehended from the spot and he has been implicated in the present case merely on suspicion, inasmuch as he is the owner of the vehicle in question.

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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner and the fact that he is having a clean antecedent, I deem it fit and proper to enlarge the abovenamed petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise Act, Khagaria in connection with Chautham PS case no. 214 of 2020.

(Mohit Kumar Shah, J)

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