

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40341 of 2020

Arising Out of PS. Case No.-323 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Lal Babu Paswan Son of Sri Ram Bhaju Paswan Resident of Village- Kowari
Madan, Ward No.-7, P.S.- Majorganj, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-03-2021 Heard Mr. Krishna Murari, learned counsel for

the petitioner and Mr. Akshay Lal Pandit, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sitamarhi C2 Case No. 323 of 2020 registered for the
offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation as per the prosecution story based
on the written report of S.I. Excise, Sitamarhi, is that the
petitioner was arrested by S.S.E. Personnel with illicit
liquor i.e. *Nepali Saufi* having a total quantity of 105 litres.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with oblique motive and the illicit liquor has not been recovered from conscious possession of the petitioner. Learned counsel further submits that the petitioner is in custody since 28.08.2020 having no criminal antecedent. Learned counsel also submits that the charge sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent and he is in custody since 28.8.2020 as well charge sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds 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, Sitamarhi, in connection with Sitamarhi C2 Case No. 323 of 2020

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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