

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40366 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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AMRENDRA PASWAN, Son of Ramswaroop Paswan Resident of Village -
Forsaha, P.S. - Sour Bazar, Dist. - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-03-2021 Heard Mr. Chandra Mohan Jha, learned Counsel for the

petitioner and Mr. Tapeswar Sharma, learned Additional Public

Prosecutor for the State.

This application, for grant of regular bail, arises out of

Excise Complaint Case No. 79 of 2020, disclosing offences under

Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report is

that the Excise official intercepted a Tempo, which was being

driven by the petitioner and recovered a total quantity of 273.4 litres

of illicit liquor from the said Tempo.

Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged and

he has falsely been implicated in this case merely because at the

time of seizure, the vehicle was being driven by him. Learned



counsel next submits that the ownr of the vehicle is one Mukesh Yadav, who instructed the petitiorn to deliver a consignment kept in the box made inside the Tempo at a place named Kamaljari, as the petitioner was going towards that place and was intercepted by the Excise officials. Learned counsel next submits that petitioner is in custody since 28.09.2020 and the chargesheet has already been submitted against the petitioner 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 and the fact that petitioner is in custody since 28.09.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Amrendra Paswan, 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, Banka, in connection with Excise Complaint Case No. 79 of 2020.

(Anil Kumar Sinha, J)

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