

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4101 of 2021**

Arising Out of PS. Case No.-1089 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

SANTOSH PASWAN, S/o Late Prasadi Paswan R/o village- Kendua More,
P.S.- Rajdhagard, District- Giridih

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 24-03-2021 Heard Mr. Yogesh Chandra Verma, learned senior
Counsel for the petitioner and Mr. Nawal Kishore Prasad, learned
Additional Public Prosecutor for the State, through Video
Conferencing.

This application, for grant of regular bail, arises out of
G.O. Case No.1089 of 2020 (P.R. No.01 of 2020), disclosing
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation against the petitioner is that the truck,
which was being driven by the petitioner, was intercepted by Excise
Official and recovered a total quantity of 738 litres of illicit liquor
from the said truck.

Learned senior 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 due to oblique



motive. Learned counsel next submits that the truck, in question, was being driven by the petitioner at the instance of its owner / transporter. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 08.10.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner has got no criminal antecedent and he is in custody since 08.10.2020 and chargesheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Santosh 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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga, in connection with G.O. Case No.1089 of 2020 (P.R. No.01 of 2020), subject to the condition that one of the bailor should be local resident.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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