

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7166 of 2022

Arising Out of PS. Case No.-394 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SAJAN PASWAN @ SAJAN KUMAR PASWAN S/o Binod Paswan @
Vinod Kumar Paswan R/o Village- Bishanpur, P.S.- Samastipur Mufassil,
Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Samastipur Mufassil PS case no. 394 of 2020 instituted for
the offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 440
liters of illicit liquor from the house of co-accused person
namely Ajay Paswan. It is alleged that when the co-accused
persons were apprehended and interrogated, they had disclosed
that the illicit liquor was kept in their house by the petitioner
and one other co-accused person.

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 02.12.2021. The learned counsel for the petitioner has further submitted that admittedly, neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the house from where the illicit liquor has been recovered belongs to the petitioner, hence the petitioner does not have any complicity in the matter.

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 fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the house from where the illicit liquor has been recovered belongs to the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released 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 Excise Court-1,



Samastipur in connection with Samastipur Mufassil PS case no.
394 of 2020.

(Mohit Kumar Shah, J)

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