

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38678 of 2021**

Arising Out of PS. Case No.-113 Year-2021 Thana- RAJNAGAR District- Madhubani

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VIJAY PASWAN S/O SHATRUDHAN PASWAN R/O VILLAGE-BHITI
SLEMPUR, WARD NO.10, P.S.-PANDAUL, DISTRICT-MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Rajnagar Police Station Case No. 113 of 2021, registered for the
offences punishable under Sections 272/273 of the Indian Penal
Code and Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information that
the co-accused has brought consignment of illicit liquor,
proceeded towards the place of occurrence and recovered a total
quantity of 855 litres of illicit liquor and 84 litres of beer from
one TATA Safari vehicle, which was being unloaded and also
seized three motorcycles.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case with oblique motive. He further submits that the petitioner is not the owner of the TATA Safari vehicle; rather he is the owner of one of the motorcycles, which has allegedly been parked near the place of occurrence and no illicit liquor has been recovered from the motorcycle in question. He further submits that the petitioner is in custody since 03.04.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been submitted, no illicit liquor has been recovered from the conscious possession of the petitioner, and the petitioner is in custody since 03.04.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with



two sureties of the like amount each to the satisfaction of
learned 2nd Additional Sessions Judge -cum- Special Judge,
Excise, Madhubani, in connection with Rajnagar Police Station
Case No. 113 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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