

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42661 of 2021**

Arising Out of PS. Case No.-109 Year-2021 Thana- BARUN District- Aurangabad

ANIL PASWAN Son of Suryadev Paswan Resident of Village- Pachmo, P.S.-
Dhibra, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 07-01-2022 Heard.

The petitioner seeks regular bail in connection with Barun P.S. Case No. 109 of 2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 270 liters of illicit liquor from a Tempo, whereafter one co-accused person namely Shambhu Paswan was arrested and he is stated to have disclosed the name of the petitioner as one of his accomplice.

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 he is languishing in custody since 6.5.2021. The learned counsel for the petitioner has



submitted that neither illicit liquor has been recovered from the conscious possession of the petitioner nor from his house nor the tempo in question belongs to the petitioner, as has been categorically stated in paragraph no. 11 of the present petition.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular 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 no illicit liquor has been recovered either from the conscious possession of the petitioner nor from his house and moreover, the tempo in question is stated to be not belonging to the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum- Special Judge (Excise), Auragabad (Bihar) in connection with Barun



P.S. Case No. 109 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

