

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42543 of 2021

Arising Out of PS. Case No.-209 Year-2021 Thana- SIKARPUR District- West Champaran

KANHAIYA PASWAN Son of Shri Bhimbali Paswan Resident of Village -
Siswa Bahuarwa, Nawka Tola, P.S. - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shikarpur P.S. Case No. 209 of 2021 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 70 litres of illicit
country made chulai liquor from the bank of the river in
question.

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 in custody
since 04.06.2021. The learned counsel for the petitioner has
further submitted that neither the place from where the illicit



liquor has been recovered, belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner.

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 petitioner as also taking into account the period of incarceration of the petitioner, 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 bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 209 of 2021.

(Mohit Kumar Shah, J)

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