

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46310 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- KARJA District- Muzaffarpur

RAJ KUMAR PASWAN Son of Late Jagarnath Paswan Resident of Village-
Karja Dih, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 Heard.

The petitioner seeks regular bail in connection with Karja P.S. Case No. 68 of 2021, registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 85 liters of illicit liquor from beneath a tree situated on the back side of the newly constructed house of the petitioner.

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 01.07.2021. The learned counsel for the petitioner has further submitted that admittedly no illicit liquor has been recovered from the house of the petitioner, hence, the petitioner cannot be saddled with the liability of the illicit liquor recovered from beneath a tree situated behind the house of the petitioner.

Per contra, Mr. Ashok Kumar, the learned APP 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 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 or from his house apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.



Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Special Judge, Excise Act, Muzaffarpur in connection with Karja P.S. Case No. 68 of 2021.

(Mohit Kumar Shah, J)

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