

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38370 of 2022**

Arising Out of PS. Case No.-369 Year-2021 Thana- WARISLIGANJ District- Nawada

Visheshwar Paswan Son of Ram Deo Paswan R/O Village- Rasanpur, P.S.-  
Warsiliganj, District- Nawada, Pin- 805130

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjit Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      20-08-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Warsiliganj P.S. Case No. 369 of 2021 registered for the offence  
under Sections 30(a) of the Bihar Prohibition and Excise Act,  
2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 25.04.2022.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 220 litres of IMFL/country made liquor from the  
poultry farm of co-accused.

Learned counsel appearing on behalf of the petitioner  
submitted that the alleged recovery of illicit liquor was made



from the bush developed inside the poultry farm of one Anil Paswan, which is accessible by general public. It is submitted that recovery of illicit liquor is not made from the conscious physical possession of the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Warsiliganj P.S. Case No. 369 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-cum-Special Judge, (Excise), Nawada/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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