

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57482 of 2021

Arising Out of PS. Case No.-150 Year-2021 Thana- KHODAWANDPUR District- Begusarai

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MUKESH PASWAN Son of Shri Rambahadur Paswan Resident of Village -
Khodawanpur, P.S.- Khodawanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	M/s Ajay Kumar Thakur Udbhav, Advocates
For the Opposite Party/s :		Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 120B, 414, 465 and 477 of the Indian Penal Code and sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on receiving information that the accused persons including the petitioner herein who were involved in the business of liquor were getting illegal liquor, search was started and in course of search 2065.32 litres of IMFL was recovered from a container and 352.08 litres of IMFL was recovered from a pickup van. The accused persons managed to escape.

It is submitted by learned counsel for the petitioner



that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has no concern with the seized liquor nor with the two vehicles from which it was allegedly seized. The only material against the petitioner is the secret information about his being involved in the business of liquor. The cause of false implication of the petitioner is his antecedent. The petitioner is in custody since 7.8.2021 and chargesheet has been submitted in the case.

It is submitted by learned counsel for the petitioner that a supplementary affidavit has been filed online. As a copy of the same is not available on record filing of the supplementary affidavit is accepted in Court and taken on record. The same mentions about the criminal antecedent of the petitioner.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot and having remained in custody for about 8 months, the petitioner is directed to be enlarged on bail in connection with Khodawanpur P.S. Case no. 150 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



the learned Special Judge, Excise Act, Begusarai.

(Partha Sarthy, J)

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