

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55540 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- BARGAINIA District- Sitamarhi

Shankar Paswan Son Of Late Balkuer Paswan R/O Village- Panchtaki Yadu,
P.S.- Bairgania, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Bairgania P.S. Case No. 110 of 2022, lodged under Sections
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

As per prosecution case, the total recovery 14.700
liter of liquor has been made but from the petitioner's
possession only 1.2 liter wine has been recovered.

Learned counsel for the petitioner submits that
petitioner is in custody since 26.04.2022 and charge-sheet has
already been filed in this case. He further submits that there are

4 criminal cases pending against the petitioner and he is on bail in all the 4 cases. Learned counsel also submits that the said recovery was not made from conscious possession of the petitioner and police has asked him to be a witness, upon refusal, his name has figured in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Sitamarhi in connection with Bairgania P.S. Case No. 110 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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