

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70074 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- CHAUTHAM District- Khagaria

KAUSHAL PASWAN Son of Shanichar Paswan Resident of Village - Rupni,
P.S.- Choutham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Choutham PS Case No. 166 / 2021 registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

A total quantity of 15 liters of country made liquor has
allegedly been recovered from the *BASA* (Hut) of the petitioner.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated by police due to oblique
motive. He next submits that the *BASA* in question from where
illicit liquor has been recovered does not belong to the petitioner
and the same belongs to one Ramprit Paswan and statement to
this effect has been given in paragraph -7 of the bail petition. He
further submits that during search and seizure procedures



prescribed under Section 100 of the Cr.P.C. have not been followed. The petitioner is in custody since 10 / 09 / 2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 10-09-2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge 2nd -cum-Special Judge, Excise, Khagaria in connection with Choutham PS Case No. 166 / 2021.

(Anil Kumar Sinha, J)

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