

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63347 of 2022

Arising Out of PS. Case No.-302 Year-2022 Thana- HARLAKHI District- Madhubani

Bhajan Paswan @ Ram Bharos Paswan Son of Raj Kumar Paswan R/v-
Khauna, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

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

The petitioner seeks bail in connection with Harlakhi P.S.
Case No. 302 of 2022 registered for the offence under Sections 272,
273 of the Indian Penal Code and Section 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 28.09.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 54 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that the recovery of alleged illicit liquor was not made from conscious physical possession of this petitioner, who is a man of clean antecedent. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been categorically submitted that investigation of this case is 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 seizure list appears doubtful being not supported by independent witnesses 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 Harlakhi P.S. Case No. 302 of 2022 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 Sessions Judge- 2nd -cum-Special Judge Excise Act, Madhubani/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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