

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65390 of 2022

Arising Out of PS. Case No.-151 Year-2021 Thana- BAHERA District- Darbhanga

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Rajesh Kumar Paswan @ Rajesh Paswan Son of Dunilal Paswan @ Tuni
Paswan R/v- Mahadei (Mahadeh), P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vinay Kumar Mishra, Advocate
For the State	:	Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

The petitioner seeks bail in connection with Bahera P.S.
Case No.151 of 2021 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.08.2022.

The allegation against the petitioner is to be involved
in illegal trading of illicit liquor, where, there was recovery of



4378.4 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner appears in this case, merely on the basis of secret input, where it is alleged that truck was booked by one, Ram Narayan Yadav @ Devendra Yadav. It is also submitted that as petitioner is found involved in two more cases, where he is on bail, his name surfaced in the present case also without having any connecting evidence. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as admittedly no recovery of illicit liquor was made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Bahera P.S. Case No.151 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 Special Judge, Ex-cise-II, Darbhanga/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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