

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4737 of 2023

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

MANOJ PASWAN @ MANOJ KUMAR Son of Sri Mohan Paswan Resident
of Village - Chakhabib, P.S.- Bibhutipur, District - Samastipur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Ms.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Excise G.R. No. 1355 of 2021 arising out of Bibhutipur P.S. Case No. 455 of 2021, registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016 and Amendment Act, 2018.

As per allegation, 1029.6 litres of english wine was recovered from the bamboo clamp of co-accused Chandra Shekhar Singh.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is under custody since 28.10.2022. He has submitted further that on similar footing, other co-accused persons have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 13584 of 2022.

On the other hand, the learned APP has opposed the



prayer for bail.

Considering the above-mentioned facts and circumstances as well as period of custody and clean antecedent of the petitioner, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional District Judge cum Special Excise Judge-I, Samastipur in connection with Excise G.R. No. 1355 of 2021 arising out of Bibhutipur P.S. Case No. 455 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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