

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4098 of 2023

Arising Out of PS. Case No.-37 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Ishwar Paswan @ Ishwardev Paswan S/o Adhik Paswan R/o Village-
Khanjhapur Ward no. 08, PS- Cheria Bariyarpur, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 27-04-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Cheria
Bariyarpur P.S. Case No. 37 of 2021 dated 10.02.2021
registered for the offences punishable under Sections 30(a) and
30(c) of the Bihar Prohibition and Excise (Amendment) Act,
2018.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is quite innocent and at the time
of raid he was not present at his house, in fact nothing has been
recovered from conscious possessions of the petitioner and there
is no independent witness of the recovery of the alleged wine.
Further submission is that the petitioner has been languishing in
jail since 13.10.2022 having fair and clean antecedent.

4. Learned APP for the State has opposed the bail prayer of the petitioner.
5. Considering the above submissions and mainly the facts that the petitioner has fair and clean antecedent and there is no independent witness of the recovery of the alleged wine and investigation against the petitioner has been completed, in my opinion, a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Cheria Bariyarpur P.S. Case No. 37 of 2021.

(Shailendra Singh, J)

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