

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6054 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- ADAPUR District- East Champaran

BHAG NARAYAN PASWAN S/O PRASAD PASWAN R/v- Shyampur, P.S.-
Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 32, 41(i) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 91.200 litre
of Nepali liquor from a cycle and petitioner managed to escape
after seeing the police party. Local persons have disclosed the
name of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has no concern
with the alleged recovery or with the bicycle. The name of the
petitioner has been disclosed in this case by the local villagers



before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 13.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2, East Champaran, Motihari in connection with Adapur P.S. Case No. 285 of 2022.

(Sunil Kumar Panwar, J)

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