

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8402 of 2023

Arising Out of PS. Case No.-351 Year-2022 Thana- JAGDISHPUR District- Bhojpur

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Fagu Paswan @ Fagu Ram S/O Late Buta Paswan Resident Of Village- Ugna,
P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 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), 30(d) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 6 litres of country made liquor from the bank of river. The name of petitioner and other co-accused persons has been disclosed by Chowkidar as persons who fled away from the place of seizure.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by local chowkidar. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Petitioner is languishing in judicial custody since 25.11.2022.

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, period under custody as well as recovery of meagre quantity of liquor 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 Court No. 1, Bhojpur, Ara in



connection with Jagdishpur P.S. Case No. 351 of 2022.

(Sunil Kumar Panwar, J)

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