

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7606 of 2023

Arising Out of PS. Case No.-467 Year-2022 Thana- JAYNAGAR District- Madhubani

Chandeshwar Paswan S/O Late Puran Paswan Resident of Village- Parwa, P.S.-
Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 01-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Jaynagar
P.S. Case No. 467 of 2022 dated 28.11.2022 registered for the
offences punishable under Sections 272, 273 and 34 of the Indian
Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to two recoveries of
wine, one is stated to be 90 litres of country made Nepali soft wine
and the same is stated to have been made in front of the house of
this petitioner and the other recovery is stated to be 135 litres of
said brand of liquor and the same is stated to have been made in
front of the house of co-accused Chandeshwar Paswan S/o Kulkul
Paswan and the petitioner is concerned to the recovery of 90 litres
of Nepali wine and co-accused Chandeshwar Paswan S/o Kulkul

Paswan has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 7210 of 2023 and the case of this petitioner stands on similar footing to the said co-accused person and moreover, the alleged wine was not recovered from house of this petitioner rather the same is stated to have been recovered in front of the house of this petitioner and there is no criminal antecedent of this petitioner and against him the investigation has been completed and he has been languishing in jail since 29.11.2022.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the privilege of bail having been granted to similarly situated co-accused person mentioned above and also coupled with completion of investigation against the petitioner, in my opinion, it is a fit case for bail to the petitioner. 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 Jaynagar P.S. Case No. 467 of 2022.

(Shailendra Singh, J)

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