

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15090 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- PANDAUL District- Madhubani

DEEPU PASWAN @ DIPU PASWAN Son of Maluka Paswan @ Manuka
Paswan R/V- Navtol Sarsopahi East, P.S- Pandaul, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Thakur

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272, 273 and 34 of the
Indian Penal Code and 30(a), 36, 38 and 41(i) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
1722.24 liters of illegal foreign liquor from bush near Navtole
Kali Temple, Village- Sarishavpahi.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
On the basis of confessional statement of *Chowkidar*, the name
of the petitioner has come into light, which has got no



evidentiary value in the eyes of law. He submitted that the petitioner has no concern with the seized liquor as well as with the place of occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 01.12.2022.

The application for bail is opposed by learned APP for the State.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 165 of 2022.

(Sunil Kumar Panwar, J)

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