

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17213 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- KUTUMBA District- Aurangabad

Ramesh Paswan, Son of Droraj Paswan, Resident Of Village - Parta, P.S. -
Amba, District. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kutumba P.S. Case No. 15 of 2023 dated 29.01.2023 registered
for the offence punishable under Section 30 (a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 54 litres of foreign liquor and the same is stated to
have been recovered from the possession of this petitioner but in
actual the said recovery has wrongly been shown as being made
from the conscious possession of this petitioner, moreover the
petitioner has fair and clean antecedent and has been
languishing in jail since 29.01.2023. Further submission is that



the alleged wine was not recovered in the presence of independent persons and two police personnel have been made witnesses of the seizure and accordingly there is no independent person of the search and seizure of the alleged wine.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and completion of investigation against him, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Kutumba P.S. Case No. 15 of 2023 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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