

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21386 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- CHANAN District- Lakhisarai

Sunil Paswan, Son of Sitabi Paswan, Resident of Village- Gopalpur, P.S-
Chanan, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chanan P.S. Case No. 36 of 2022, dated 08.03.2022 registered
for the offences punishable under Sections 30(a),(b),(c) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 310
litres of *illicit country-made wine* and the same is stated to have
been recovered from a forest area and as per prosecution 5000
litres of fermented *Jawa Mahua* was also found at the place of
recovery which was destroyed but the petitioner was not
apprehended at the spot and his name was disclosed by the local
chowkidar and *villagers* and petitioner has been made accused
merely on suspicion and the alleged wine was not recovered



from his conscious and physical possession. Further submissions are that the petitioner has been languishing in jail since 01.02.2023 and against him the investigation has been completed, though against the petitioner there are criminal antecedents of three cases but he has got bail in all said antecedent cases.

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

5. Considering the above submissions and mainly completion of investigation against the petitioner and also the fact that at the alleged place of recovery of wine, petitioner was not apprehended and the place of recovery is stated to be an open place, 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 the concerned Court in connection with Chanan P.S. Case No. 36 of 2022.

(Shailendra Singh, J)

Rajiv/-

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