

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25304 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- WARISNAGAR District- Samastipur

AANAND KUMAR @ CHHOTU PASWAN @ CHHOTU @ SHARMAJI,
aged about 25 years, Male, Son of Rajendra Paswan Resident of village -
Bairiya Jhitkahia, P.S.- Brahmpura, District – Muzaffarpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Warishnagar P.S. Case No. 39 of 2023 dated 03.02.2023
registered for the offence(s) punishable under Section(s) 419,
420, 467, 468/34 of the Indian Penal Code and Sections
30(a),30(c) and 30(d) of the 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 1811 empty bottles of liquor and the same were
recovered from an Omni car which was in the possession of co-
accused Nitish Kumar and no liquor was seized from the said
car and during investigation, the said co-accused revealed that
earlier he used to purchase such types of empty bottles, rapers,
spirit etc. from this petitioner but except this there is no any
allegation against this petitioner and moreover the said



allegation was disclosed by the apprehended co-accused which has no evidentiary value. Further submissions are that though against the petitioner, there are criminal antecedents of four cases, out of which, he got bail in two cases and in the present matter, he was not arrested at the spot and against him, the investigation has been completed.

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

5. Considering the above submissions and mainly the facts that the instant matter relates to the recovery of empty bottles and the same were recovered from the possession of co-accused who disclosed the name of this petitioner being involved in supplying of the said bottles and against the petitioner, the investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Warishnagar P.S. Case No. 39 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)

Sanjay/-

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