

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26125 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

PREM PASWAN, age 30 years, Gender, Male, SON OF PARMESHWAR
PASWAN Resident of village - Belashankar, P.S. - L.N.M.U., Distt. -
Darbhanga Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
LNMU P.S. Case No. 286 of 2022 dated 28.08.2022 registered
for the offence(s) punishable under Section(s) 30(a) 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 85.2 litres of Nepali Saufi wine and as per
allegation, the petitioner himself kept the alleged liquor at the
place of recovery but the said allegation is completely false, in
fact as per FIR and seizure list the alleged wine was recovered
from a pond near the railway line and the police only suspected
the petitioner to be involved in keeping the said wine and
except suspicion, there is no material against him and he was



not apprehended at the spot and the said place of recovery is a government property and petitioner is being dragged by the police in the cases of recovery of liquor on account of his criminal antecedents and he has been languishing in jail since 20.03.2023 in the present matter.

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

5. Considering the above submissions and mainly the facts that the alleged place of recovery is a government land and the petitioner was not found being present at the time of recovery at the said place and he has been made accused mainly on the basis of some information received by the police regarding his involvement in keeping and hiding the alleged liquor at the alleged place, 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 LNMU P.S. Case No. 286 of 2022 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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