

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30804 of 2023

Arising Out of PS. Case No.-382 Year-2022 Thana- PIPRA District- Supaul

Manoj Paswan, Son Of Lakhan Paswan Resident Of Village-Tetrahi, Ward
No.01 P.S.- Pipra, District- Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the allegation is of
recovery of 418.8 from a place near a pond concealed in a sack.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated in the confessional statement of
Mithu Mandal in police custody, which does not have any
evidentiary value. It is next submitted that even the alleged



recovery is from a place, which is accessible to public at large and police police falsely implicated the petitioner through Mithu Mandal because of his antecedent in order to save the real culprit.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Incharge Exclusive Special Judge, Excise Court No.1, Supaul in connection with Pipra P. S. Case No.382 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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