

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No 32858 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- MANIGACHI District- Darbhanga

BADRI PASWAN, aged about 20 years (Male), son of Upendra Paswan,
Resident of Village – Maksuda, P S – Sakri, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioner has preferred this application for grant
of regular bail in connection with Manigachhi (Nehra OP)
Police Station (for brevity, **PS**) Case No 42 of 2023 dated
22.02.2023 registered for the offence punishable under Sections
467, 468, 471, 420, 120B of the Indian Penal Code and Sections
30 (a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, there is recovery of
6899.655 litres of foreign liquor from a truck, a pick up van and
a motorcycle.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. The petitioner has no criminal case, as stated in paragraph 3 of the bail petition. He is in custody in this case since 23.02.2023. It is further submitted that petitioner is neither the driver nor the owner of any of the above said vehicles

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise II, Darbhanga in Manigachhi (Nehra OP) PS Case No 42 of 2023 dated 22.02.2023 subject to the following condition:

The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

U		T	
---	--	---	--

