

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32992 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- SITAMARHI District- Sitamarhi

=====

Birendra Paswan @ Bijendra Paswan @ Vijendra Kumar S/O- Jagdish
Paswan Village- Jaimal Tola, Nutan Cinema Road, Ward No-15, Ps- Sitamarhi
Dist- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 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 is a person with clean antecedent and the allegation is
of recovery of 900 litres of liquor from a car and one accused
was arrested.

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 based on confessional statement



of co-accused in police custody, which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent and is not the owner of the seized vehicle.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Sitamarhi in connection with Sitamarhi P. S. Case No.41 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

