

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34368 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- KHODAWANDPUR District- Begusarai

MUKESH PASWAN, son of Bahadur Paswan, Village- Khodawandpur Ps-
Khodawandpur Dist-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 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
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Khodawandpur P.S. Case No.
50 of 2023 dated 21.02.2023 registered for the offences
punishable u/ss 307, 323, 353 332 and 333 read with Section 34
of the Indian Penal Code and Section 30(a) and 41(i) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, total 288 litres of illicit
liquor was seized from a Bolero vehicle. The driver of the said



vehicle was apprehended from the spot. On seeing the police, the petitioner and the other co-accused persons fled away in a White Scorpio Car. It is further alleged that the petitioner and the co-accused persons attacked the police party.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the seized vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in 8 criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 04.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Khodawandpur P.S. Case No. 50 of 2023 with the condition :-

1. 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
bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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