

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45323 of 2023

Arising Out of PS. Case No.-418 Year-2023 Thana- FATUA District- Patna

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Dharmendra Paswan Son Of Indradeo Paswan Resident Of Village Sonaru Ps
Fatuha District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) of Bihar Prohibition and Excise Act and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, all the FIR named accused persons apprehended on the spot and from the place of occurrence total 30 liters illegal liquor, one country made pistol and two live cartridges were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery and seizure list has also



not been prepared as per provision of Section 100 of the Cr.P.C. He has got no criminal antecedent. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner rather seized articles were recovered from a mango orchard of one Laljee. The petitioner is languishing in judicial custody since 08.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fathua P.S. Case No. 418 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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