

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65650 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- BENIPATTI District- Madhubani

DEVENDRA KUMAR @ DEVENDRA KUMAR PASWAN @ DEVINDRA
PASWAN S/O RAMSAGAR PASWAN R/O VILLAGE- BETA PARSA, P.S-
HARLAKHI, DISTT.- MADHUBANI, BIHAR- 847230.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar Pandey

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273, 34 of the Indian Penal Code and Section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 342 liters illegal liquor from Honda City Car and the petitioner was also apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis suspicion. The petitioner has



no concern with the alleged recovery. No any incriminating article has been recovered from conscious possession of the petitioner. The main accused who is also driver of the vehicle has already been granted bail by this Court vide order dated 22.09.2023 passed in Cr. Misc. No. 49578 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 24.05.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Benipatti P.S. Case No. 104 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 Additional Sessions Judge-II-cum Special Judge Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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