

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59152 of 2023

Arising Out of PS. Case No.-286 Year-2021 Thana- KALYANPUR District- Samastipur

=====

HARI PASWAN @ HARILAL PASWAN SON OF LATE MAHENDRA
PASWAN RESIDENT OF VILLAGE - LADAURA, POLICE STATION -
KALYANPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 2041.320 liters
foreign from the thatched (Tatfus) house of the petitioner.

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 the present Case. He
no concern with the alleged recovery. The alleged place of
occurrence not belongs to the petitioner rather the incriminating
wine has been recovered from the house of joint family of



petitioner. His name has been disclosed in this case by the villagers before the police which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 27.06.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-I, Samastipur in connection with Kalyanpur P.S. Case No. 286 of 2021.

(Sunil Kumar Panwar, J)

lata/-

U			
---	--	--	--

