

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62420 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- BABUBARHI District- Madhubani

Durganand Paswan S/O Ramashish Paswan R/O Village- Yogia, Ps. Ladaniya,
Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-09-2023 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 sections 30(a), 41 of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 1014 liters of illicit liquor from a vehicle and the petitioner is said to have fled away after seeing the police party.

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. Petitioner has no concern with the alleged recovery of illicit liquor or with the vehicle in question. Neither the



petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner was disclosed by co-accused who was apprehended on spot. Moreover, the petitioner is languishing in judicial custody since 26.6.2023.

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 custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Babubarhi P.S. Case No. 60 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 District Judge-II-cum-Special Judge Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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