

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62791 of 2023

Arising Out of PS. Case No.-128 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Amarjit Kumar @ Bhim Paswan Son Of Late Dukhan Paswan Village-
Garjaul Pharpur Ps- Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratima Kumari
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 30(a), 32(i) (iii) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 1177.20 liters of country made liquor as alleged from the shop of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner was not apprehended on spot and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that from where the recovery has been made is a public place and the same is visited by many customers, hence



the possibility of some customers would have kept the illicit liquor in the shop of the petitioner. It is also submitted from para-10 of this petition that other co-accused persons have already been granted bail the co-ordinate Bench of this Court vide order dt. 19.04.2022 in Cr. Misc. No. 1830 of 2022 and order dt. 02.12.2022 in Cr. Misc. No. 61174 of 2022. Moreover, the petitioner is languishing in judicial custody since 17.08.2023.

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

6. 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 C2A No. 128 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise, Court, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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