

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62157 of 2023

Arising Out of PS. Case No.-427 Year-2023 Thana- HARSIDHI District- East Champaran

Binod Paswan @ Vinod Paswan Son Of Late Ram Ayodhya Paswan Village-
Ghograhan Bariya Dih, Ps- Harsidhi, Dist- East Champaran At Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 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 420, 328, 302, 34 of the Indian Penal Code and Section 34 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, it is alleged that the husband of the informant was died due to consumption of spurious liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. He has falsely been implicated in this case on the basis of confessional statement of co-accused Pappu Yadav which has got no evidentiary value in



the eye of law. Nothing incriminating has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 14.7.2023. Moreover, similarly situated co-accused namely, Binod Sahni has already been granted bail by a co-ordinate Bench of this Court vide order dt. 10.10.2023 passed in Cr. Misc. No. 63335 of 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 period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Harsidhi P.S. Case No. 427 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 Exclusive Spl Excise Court No.1, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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