

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69137 of 2022

Arising Out of PS. Case No.-204 Year-2022 Thana- BHAGWANPUR District- Vaishali

BISHWANATH PASWAN SON OF LATE LAKHAN PASWAN R/O
VILLAGE- MOHMADPUR HARI, P.S.- BHAGWANPUR, DISTRICT-
VAISHALI, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 204 of 2022, registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of Bihar Excise Amendment Act, 2018.

The allegation is regarding recovery of 60 litres of country made *chulai* liquor from the *bathan* of one Jasiya Devi and the petitioner is stated to be the husband of the said Jasiya Devi.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 26.08.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused only in one another case but he is on bail in the said case. The learned counsel for the petitioner has also submitted that since the petitioner is husband of the main accused, he has been falsely implicated in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, apart from the fact that he is having a fair antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named,



is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1 cum Additional District and Session Judge, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 204 of 2022.

(Mohit Kumar Shah, J)

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