

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72104 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- KEWATI District- Darbhanga

ANIT PASWAN S/o Late Hardev Paswan R/o village- Mohanpur, P.S.-
Raiyam, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection with Keoti P.S. Case no. 278 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 261 liters illicit Nepali liquor from a vehicle bearing Registration no. JH-02-K-0852 which is alleged to be driven by the petitioner at the time of his arrest.

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. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor or with the vehicle in question rather he was only driving the said vehicle at the time of his arrest. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 27.8.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the alleged recovery of liquor has been made from a vehicle which is alleged to be driven by the petitioner and he was arrested on spot.

The petitioner is directed to deposit a sum of Rs 30,000/- (Thirty Thousand) in the District Legal Services Authority of concerned District.

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 released on bail in connection with Keoti P.S. Case No. 278 of 2022 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 Judge, Excise Act, Darbhanga.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 30,000/- (Rs. Thirty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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