

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77320 of 2023

Arising Out of PS. Case No.-48 Year-2016 Thana- NAUTAN District- West Champaran

Anil Paswan S/O Late Rajeshwar Paswan Village- Amwa, Ps. Majhauilya,
Dist. West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-12-2023 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 467, 468, 471, 420, 307, 120B, 414, 272 and 273 of the Indian Penal Code and Section 47(A) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 3800 liters of country made liquor from the house of co-accused person.

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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person, namely, Umesh Sah before the police which has got no evidentiary value



in the eye of law. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern with the alleged recovery. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide Annexure-P/2 of this petition. Moreover, the petitioner is languishing in judicial custody since 24.08.2023.

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 Nautan (Jagdishpur) (O.P.) P.S. Case No. 48 of 2016 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, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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