

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20043 of 2024

Arising Out of PS. Case No.-1048 Year-2023 Thana- SIKARPUR District- West Champaran

Radheshyam Paswan @ Radheshyam Pasvan Son of Chandardev Pasvan @
Chanardev Paswan Resident of Village- Koirgava, Police Station- Shikarpur,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-03-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 10 litres of liquor from a place near the house of Sunil Ram, 10 litres of liquor from beside the house of Brijesh Ram and 20 litres of liquor from behind the house of Janak Paswan.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and even alleged recovery is from a place, which does not belong to the petitioner and he came to be implicated based on confessional statement of Janak Paswan in police custody, which does not have any evidentiary value.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Bettiah, West Champaran in connection with Shikarpur P. S. Case No.1048 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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