

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59441 of 2024

Arising Out of PS. Case No.-249 Year-2018 Thana- PHULPARAS District- Madhubani

SHAMBHU PASWAN @ SHAMBHU KUMAR PASWAN SON OF LAXMI
NARAYAN PASWAN @ LAXMI PASWAN RESIDENT OF VILLAGE -
BALANSHER, P.S. - BABUBARHI, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Phulparas Police Station Case no. 249 of 2018, dated 09.11.2018, registered under Sections 272/273 of the Indian Penal Code and Section 30(a)/38(i)(ii) of the Bihar Prohibition and Excise Act.
3. Earlier the petitioner moved before this Court for grant of anticipatory bail in Cr. Misc. No. 30153 of 2019, which got rejected vide order, dated 13.05.2019.
4. The prosecution case, as per the First Information Report, is that on 09.11.2018, the police, during patrolling, received secret information that illicit liquor has been



stored in Government Primary School, Chharapatti. The police reached the place of occurrence and asked one person, who disclosed his name Shambhu Paswan (petitioner) the whereabouts of school and he thereafter escaped from the place. Upon search, the police recovered 721 liters of illicit liquor from two rooms of the school.

5. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village politics. Petitioner is of another village and had come to visit his relative in Chharapatti. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or property belonging to him. He further submits that the police on mere suspicion has implicated and arrested the petitioner. Petitioner is in custody since 15.06.2024.
6. Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner has remained in custody since 15.06.2024 and there is no likelihood that the petitioner will abscond and/or temper with the evidence, I am inclined to grant regular bail to the petitioner.
7. Let the petitioner, named above, be released on bail on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge, Excise Act, Jhanjhapur, Madhubani, in connection to the Phulparas Police Station Case no. 249 of 2018.

(Anil Kumar Sinha, J)

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