

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73218 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- PARAIYA District- Gaya

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BASANT KUMAR Son of Ganauri Paswan Resident of Village - Boknari,
P.S.- Paraiya, and Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for grant of bail in connection with Paraiya P.S. Case No. 95 of 2019, registered for the offence punishable under section 414 of the Indian Penal Code and section 30 (d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per F.I.R., 50 Kg. of mahua flower is said to have been recovered from motorcycle which was not bearing registration number and accused Tinku Paswan is said to have been arrested with the same.

It is submitted by the learned counsel for the petitioner that the motorcycle was not bearing registration number and as such the F.I.R was registered also under section



414 of the Indian Penal Code. It is further submitted that the name of the petitioner transpired in course of investigation only on the ground that he happens to be registered owner of the said motorcycle with which Tinku Paswan was caught. The petitioner is in custody since 30.08.2019 and he has no criminal antecedent. The aforesaid Tinku Paswan has been enlarged on bail vide order dated 27.08.2019 passed in Criminal Miscellaneous No. 52133 of 2019.

The application of bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above facts as also that the petitioner is in custody since 30.08.2019, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Gaya, in connection with Paraiya P.S. Case No. 95 of 2019.

(Partha Sarthy, J)

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