

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6681 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- RAJPUR District- Rohtas

MANOJ PASWAN Son of Surendra Paswan Resident of Village-Baligaon,
P.S.-Rajpur, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Rajpur P.S. Case no. 35 of 2020 registered under sections 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 34.56 litres of illicit liquor is stated to have been recovered from a tempo of which the petitioner was the driver.

It is submitted by learned counsel for the petitioner that although as per allegations in the FIR, different quantity of illicit liquor was recovered from different vehicles, so far as the petitioner is concerned, the allegation is that 34.56 litres of liquor was recovered from the tempo of which he was the driver.



It is submitted that the petitioner has absolutely no concern with the recovered articles nor is he the owner of the vehicle. He was merely engaged to drive the vehicle on daily wages. There is no material against him except for the confessional statement of co-accused made before the police. He is in custody since 13.7.2020 and has no criminal antecedent

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the period in custody, charge sheet having been submitted in the case and the petitioner having no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Rajpur P.S. Case no. 35 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Rohtas at Sasaram.

(Partha Sarthy, J)

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