

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7420 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- AMBA District- Aurangabad

1. Rahul Kumar Paswan Son Of Birendra Kumar @ Virendra Kumar R/V- Gheura, P.S- Risiup Dist- Aurangabad Bihar
2. Pintu Paswan Son Of Brihaspat Paswan R/V- Gheura, P.S- Risiup Dist- Aurangabad Bihar
3. Rana Pratap Paswan Son Of Mohan Paswan R/V- Gheura, P.S- Risiup Dist- Aurangabad Bihar
4. Nanku Paswan Son Of Raj Kumar Paswan R/V- Gheura, P.S- Risiup Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners prayed for regular bail in connection with Amba P.S. Case no. 318 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act 2018.

Prosecution case relates to recovery of total 240 liters country made Mahua liquor from a car bearing Reg. No. JH01EL2091, which belongs to petitioner no.1 namely,



Rahul Kumar Paswan.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case. Petitioners have no concern with the alleged recovery of illicit liquor. It is further submitted that the petitioner No-1 is the owner and driver of the vehicle in question from where the recovery has been made. They have got no criminal antecedent. The petitioners are languishing in judicial custody since 31.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner no.1 namely, Rahul Kumar Paswan is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District as this petitioner claims that the seized vehicle belongs to him.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the



petitioners on bail. The above named petitioners are directed to be released on bail in connection with Amba P.S. Case No. 318 of 2022 on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Aurangabad (Bihar).

The bail bonds of the petitioner no.1 namely, Rahul Kumar Paswan shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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