

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14089 of 2023

Arising Out of PS. Case No.-417 Year-2022 Thana- WARISNAGAR District- Samastipur

1. PALTAN PASWAN S/O RAM KEWAL PASWAN R/o village and post-Lagunia, Raghukanth, P.S.- Muffasil, District- Samastipur
2. SHIV KUMAR PASWAN S/O LATE JIWACHH PASWAN R/o village and post- Lagunia, Raghukanth, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

As per prosecution case, there has been recovery of
900 liters of illegal liquor from a Pick-up Van, Bearing No.
BR32GB-3842, whereas petitioner no. 1 is the owner of the said
vehicle and petitioner no. 2 is relative of petitioner no. 1.

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case. They
have committed no offence. Petitioners have no concern with



the seized liquor. He submitted that both the petitioners were not apprehended at the place of recovery. The name of Petitioner no. 1 was transpired by informant as owner of the seized vehicle and petitioner was given this vehicle on fair, which was being used by driver, not by petitioner no. 1. The petitioner no. 2 is arrested only on the basis of suspicion that he is a relative of the petitioner no. 1. Nothing incriminating article has been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 29.12.2022.

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

The petitioner no. 1 is directed to deposit Rs. 10,000/- (ten thousand) in the account of concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. 2, Samastipur in connection



with Warisnagar P.S. Case No. 417 of 2022.

The bail bond of the petitioner no. 1 shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/- (ten thousand) by the petitioner no. 1 in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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