

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70486 of 2022**

Arising Out of PS. Case No.-339 Year-2022 Thana- CHANDAUTI District- Gaya

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MUKESH PASWAN S/o Late Dilip Paswan R/v- Jamune, P.S.- Chandauti,
District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Chandauti PS case no. 339 of 2022 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

The allegation is regarding recovery of 20 liters of illicit *mahua* liquor from a motorcycle, which was being ridden by the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 18.08.2022. The learned counsel for the petitioner has further submitted that the petitioner is accused in two other cases but he is on bail in the said



cases. It is also submitted that the motorcycle in question does not belong to the petitioner, hence, the petitioner has been falsely framed in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the submission of the learned counsel for the petitioner to the effect that the petitioner is not the owner of the motorcycle in question apart from taking into account the period of incarceration of the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Excise Court No.-01, Gaya in connection with Chandauti PS case no. 339 of 2022.

(Mohit Kumar Shah, J)

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