

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73871 of 2023

Arising Out of PS. Case No.-353 Year-2023 Thana- NAVINAGAR District- Aurangabad

CHHOTU PASWAN Son of Mahendra Paswan R/O Village - Badem Tola,
Santan Nagar, P.S. - (Badem O.P.), Navinagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Adv

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Navinagar Badem O.P P.S Case no. 353 of 2023 registered under sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

3. As per the prosecution case, it is stated by the informant that seeing the police personnel three accused persons threw the bag that they were carrying and managed to escape abandoning their motorcycle. 50 litres of liquor was recovered and the petitioner was identified amongst the accused persons who was the owner of the motorcycle parked nearby and who had managed to escape.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only



for the reason that his motorcycle was parked near the alleged place of occurrence. No incriminating article has been recovered from the petitioner's possession. He has no criminal antecedents. The petitioner is in custody since 27.9.2023.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not having been arrested at the spot, his having remained in custody since 27.9.2023 and especially the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Navinagar Badem O.P P.S Case no. 353 of 2023 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 Spl. Judge of Excise – I, Aurangabad.

(Partha Sarthy, J)

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