

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77130 of 2023

Arising Out of PS. Case No.-1250 Year-2023 Thana- Excise P.S. District- Kishanganj

Dina Kumar Paswan @ Dina Paswan S/O Shri Rameshwar Paswan Resident
Of Khagra Paswan Tola, P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a), 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 81.320
litres of IMFL from E-rickshaw. It is alleged that
petitioner was driver of the aforesaid E-rickshaw.

It is submitted by learned counsel for the
petitioner that petitioner has falsely been implicated in
the present case. Nothing has been recovered from the
conscious possession of the petitioner. There is no



independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 09.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing for the State vehemently opposed the prayer of bail and submitted that petitioner was driver of the E-rickshaw from which huge quantity of liquor has been recovered.

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) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IV, Special Judge (Excise II), Kishanganj in connection with Madhya Nisedh P.S. Case No. 1250 off 2023.

The petitioner is directed to deposit a sum of



Rs. 5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 5,000/-(Rupees Five Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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