

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5086 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- AMBA District- Aurangabad

Vijay Paswan @ Vijay Ram @ Bijay Paswan Son Of Late Ramdayal Paswan
Resident Of Village - Barna, P.S. - Bikramganj, District - Rohtas (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. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 32, 41 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on getting secret information, police intercepted a truck bearing Reg. No. BR24G3985 and three persons including the petitioner/driver were arrested and on search total 2215.5 litres IMFL was recovered. Accordingly, seizure list was prepared and FIR was registered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He



has no concern with the alleged recovery or with the vehicle in question. He was simply driving the alleged truck on instruction of the owner without knowing about the consignment loaded in it. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 10.11.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is 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 Special Judge, Excise-I, Aurangabad (Bihar) in connection with Amba P.S. Case No. 251 of 2023.

(Sunil Kumar Panwar, J)

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