

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9417 of 2024

Arising Out of PS. Case No.-514 Year-2023 Thana- BAKHTIYARPUR District- Patna

Sunil Paswan S/O Janki Paswan R/O- Village- Hakikitpur, P.S.- Bakhtiyarpur,
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 514 of 2023, instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act and
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 30 litres of
desi chulai wine was recovered from the house of Dhananjay
Kumar. It is further alleged that one live cartridge was recovered
from the right pocket of petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner has no concern with the alleged recovery of liquor.



The recovery of illicit liquor has been made from the joint house of the petitioner where other family members also reside. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no criminal antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhtiyarpur P.S. Case No. 514 of 2023.

(Rudra Prakash Mishra, J)

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