

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10610 of 2024

Arising Out of PS. Case No.-1404 Year-2023 Thana- Excise P.S. District- Darbhanga

Rakesh Paswan SON OF Binod Paswan R/o Village - Gausa , Ward no - 14 ,
P.S. - Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the State : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Darbhanga Excise P.S. Case No. 1404 of 2023 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per prosecution case, there is recovery of total
360 liters of illicit Nepali liquor from Bolero car.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-12-2023. Petitioner
bears one criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Petitioner is neither the owner nor the driver of the vehicle in question. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. 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 Darbhanga Excise P.S. Case No. 1404 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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