

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14615 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- Excise P.S. District- Buxar

Govind Paswan S/o Late Shambhu Paswan R/o Village- Kavlen Pandey Ke
Tola, Kharika, P.S.- Rewati, District- Ballia, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Excise (Dumaron) P.S. Case No. 02 of 2024 instituted for

the offences under Section 30(a) of the Bihar Excise

(Amendment) Act, 2018.

3. As per prosecution case, the police in course of

routine patrolling has recovered total 26 liter illegal country

made liquor (Chulai) from the Hero Honda Splendor

Motorcycle bearing Reg. No. UP-60AQ-3254.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the alleged motorcycle. The petitioner has no concern with the seized liquor. There is no specific allegation against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 08.01.2024.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the quantity of liquor recovered, let the petitioner, abovenamed, 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 Excise (Dumaron)
P.S. Case No. 02 of 2024.

(Rudra Prakash Mishra, J)

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