

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15986 of 2024**

Arising Out of PS. Case No.-263 Year-2023 Thana- KALUAHI District- Madhubani

Sunil Kumar Paswan @ Sunil Paswan Son of Rohit Paswan R/o Village-  
Laxmi Sagar, Police Station- Lalit Narayan University, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhavesh Sah, Adv.  
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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

ORAL ORDER

2      06-03-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner seeks bail in connection with  
  
Kaluahi P.S. Case No. 263 of 2023 instituted for the  
  
offences under Sections 272 and 273 of the Indian Penal  
  
Code and Section 30(a) of the Bihar Prohibition and Excise  
  
Act.

3. As per prosecution case, the police has recovered  
  
total 135 liter illicit liquor from the tempo bearing Regd. No.  
  
BR07P6888.

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 due to ulterior motive. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor or the alleged vehicle. The petitioner was not aware of the contents of the material loaded in the vehicle. 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 16.12.2023.

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 petitioner having no criminal antecedent, 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 Kaluahi  
P.S. Case No. 263 of 2023.

(Rudra Prakash Mishra, J)

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