

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15551 of 2024

Arising Out of PS. Case No.-42 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

Dharmendra Kumar Paswan Son of kailash Paswan Resident of Vill.-
Laguniya Raghukanth, P.S.-Samastipur, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

=====

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Samastipur Muffasil
P.S. Case No. 42 of 2021, instituted for the offences punishable
under Sections 30(a) and 32(ii) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 91.890 liters
liquor was recovered from one car.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. It is further submitted that



the petitioner is owner of the seized car because of which he has been made accused in this case. The car has been sold by the petitioner to one Atin Mitra who has taken the physical possession of the car but did not transfer the registration in his name. The petitioner is in custody since 20.11.2023 and has got one criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur Muffasil P.S. Case No. 42 of 2021.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

