

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36010 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MAIRWAN District- Siwan

1. Subham Paswan @ Subham Kumar @ Shubham Paswan Son of Late Rajesh Paswan Resident of village - Mukhsudpur Taj, P.S.- Mahua, District - Vaishali.
2. Amit Paswan Son of Late Shambhu Paswan Resident of village - Khhirachak @ Mohanpur Dhanraj, P.S.- Mahua, District - Vaishali.
3. Deepranjan Paswan @ Deep Ranjan Raj @ Deep Ranjan Paswan Son of Amod Paswan @ Amod Kumar Resident of village - Rasulpur, Mubarak, Rasulpur Mobarak Urf Manikpur, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Singh, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Mairwan P.S. Case No. 78 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 194.400 liters liquor was recovered from car. The petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the petitioner no. 1 is driver, petitioner nos. 2 and 3 are passenger of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 15.03.2024 and have got no criminal antecedent. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mairwan P.S. Case No. 78 of 2024.

(Rudra Prakash Mishra, J)

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