

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43170 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- SIRDALA District- Nawada

Nagina Paswan S/O Mahadev Paswan @ Brhamdev Paswan R/O Village-
Dhobghatti, P.S- Akbarpur, Distt,- Nawada.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and Mr.
Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in Sirdala P.S. case No. 86
of 2024 instituted for the offences under Section 30(a) and 41 of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 120 liters
liquor was recovered from Toto vehicle and the petitioner was
arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and 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 name of the petitioner has transpired as being owner of the vehicle. The said vehicle runs as commercial vehicle and the petitioner has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 05.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sirdala P.S. case No. 86 of 2024.

(Rudra Prakash Mishra, J)

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