

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38251 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- FULKAHA District- Araria

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Ajay Kumar Paswan @ Ajay Paswan @ Ajay Kumar Son Of Radhe Paswan
Village- Amrohi Nababganj, Ward No. 12, Ps- Fulkaha, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Gopal Kumar Jha
For the Opposite Party/s :	Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fulkaha P.S. Case No. 21 of 2024 instituted for the offences under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 216 liters of *Nepali* and *English* liquor have been recovered from two motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner was not apprehended on spot. The name of the petitioner has come into light merely on the basis of apprehended co-accused Sanjeet Kumar Paswan @ Sanjeet. No



incriminating article has been recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery of liquor. Petitioner is neither the driver nor the owner of the seized vehicles. Charge-sheet has been submitted in this case. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 24.04.2024 passed in Cr. Misc. No. 31410 of 2024. The petitioner is in custody since 28.03.2024 and has one criminal antecedent. There is no compliance of Section 100 of the 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 facts and circumstances of the case as well as 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 Fulkaha P.S. Case No. 21 of 2024.

(Rudra Prakash Mishra, J)

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