

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44357 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- Excise P.S. District- Gaya

Akhilesh Paswan @ Akhlesh Paswan @ Aklesh Ram S/o Saryu Paswan R/o
Village-Banka, P.S.-Huntarganj, District-Chatra(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Sherghati) P.S.
case No. 76 of 2024 instituted for the offences under Sections
30(a) and 32(C) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 40 liters
liquor was recovered from the motorcycle.

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. It is further
submitted that the petitioner was a passersby and he has got no
concern with the alleged recovery of liquor. The petitioner is in



custody since 28.04.2024 and has got two criminal antecedents.
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 Excise (Sherghati)
P.S. case No. 76 of 2024.

(Rudra Prakash Mishra, J)

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