

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52543 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- MAHESHKHUNT District- Khagaria

1. Prakash Paswan @ Prakash Kumar Son of Late Suraj Paswan R/O Vill.- Chintamanipur, P.s.- Vaishali, Dist.- Vaishali at Hajipur
2. Manish Paswan Son of Susheel Paswan R/O Vill.- Subai, P.s.- Vaishali, Dist.- Vaishali at Hajipur Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

3 22-08-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Maheshkunt P.S. Case No. 99 of 2024, registered for the offences punishable under Sections 188, 420, 467, 468, 471/34 of the Indian Penal Code and Section 30(a), 32(i), (ii)/41 of Bihar Prohibition and Excise Act, 2022.

3. As per allegation, on a secret information, while the informant along with police personnel reached to the place of occurrence, the accused persons including the petitioner having seen the police, though tried to flee away, but they were apprehended. On search, 4992 liters of liquor was recovered from the alleged oil tanker.

4. The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing was recovered from possession of the petitioners. He has also submitted that the petitioner no. 1 is the driver and the petitioner no. 2 is co-driver of the alleged vehicle.



He has next submitted that petitioner no. 1 has got criminal antecedent and petitioner no. 2 is a person of clean antecedent. The petitioners are under custody since 05.06.2024.

6. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner no. 1 has a criminal antecedent of similar nature.

5. Considering the above-mentioned facts and circumstances, let the **petitioner no. 2, Manish Paswan** above-named be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount to the satisfaction of learned ADJ-IV-cum-Exclusive Special (Excise), Court No.II, Khagaria in connection with Maheshkunt P.S. Case No. 99 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

6. So far as **petitioner no. 1, Prakash Paswan** is concerned, since he has got criminal antecedent of similar nature, I am not inclined to grant him bail, which is hereby *rejected*.

(Nawneet Kumar Pandey, J)

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