

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68594 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- KANHHAULI District- Sitamarhi

Mukesh Paswan Son of Nagendra Paswan R/O Village- Ranjitpur, P.S.-
Punaura, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Kanhauli P.S.
Case No. 46 of 2024, registered 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, 18 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner further
submits that the petitioner is not named in the FIR. Name of the



petitioner has transpired in this case on the basis of being owner of the motorcycle in question and he has no knowledge regarding the goods kept in his motorcycle. The petitioner has 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 petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kanhauli P.S. Case No. 46 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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