

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71300 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- BARARI District- Bhagalpur

Rajesh Paswan Son of Manilal Paswan Resident of Tintanga Bind Tola, P.S.-
Gopalpur (Nawgachia), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Mandal, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Barari P.S. case No. 72
of 2024 instituted for the offences under Section 30A/41 of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 223 liters
liquor was recovered from Bolero Pick-up Van.

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 pick-up van in question does not



belong to the petitioner. The petitioner is said to be driver of the vehicle in question. He has no knowledge regarding nature of goods booked by the transporter. The petitioner is in custody since 01.08.2024 and has got one 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 Barari P.S. case No. 72 of 2024.

(Rudra Prakash Mishra, J)

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