

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76400 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- HASANPUR District- Samastipur

Jhantu Paswan Son of Late Ram Sukhit Paswan Resident of Village - Naya
Nagar, Ward No.- 5, P.S.- Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Hasanpur P.S. Case No. 99 of 2024 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018.

3. As per prosecution case, the police has recovered

14 litres of illicit country-made liquor from the petitioner's

grocery shop whereas 04 litres from the seized gallon.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case due to dirty village politics. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is neither seller nor buyer of liquor and he is a poor laborer. He also submits that there is no forensic laboratory report confirming the seized article being an intoxicant. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.08.2024 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Hasanpur P.S. Case No. 99 of 2024.

(Rudra Prakash Mishra, J)

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