

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78522 of 2024

Arising Out of PS. Case No.-328 Year-2023 Thana- TILAUTHU District- Rohtas

Mithun Paswan S/o Late Shiv Narayan Paswan R/o Village- Uttarpatti
Tilauthu, P.S.- Tilauthu, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-12-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases and the allegation is of recovery of 30 litres of liquor from a place near sone river.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. It is next submitted that petitioner is in custody since



04.09.2024.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2-cum- Additional District & Sessions Judge, Rohtas at Sasaram in connection with Tilauthu P. S. Case No.328 of 2023.

7. The application stands allowed.

(Satyavrat Verma, J)

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