

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77906 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- DEODHA District- Madhubani

Biltu Paswan Son of Late Bhikhari Paswan Resident of Village- Basopatti
Purvi, Police Station -Basopatti, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

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

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Deodha P.S. Case No. 78 of 2024 instituted for the offences

under Sections 274, 275 of the B.N.S. and Section 30(a) of

the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered

total 198 litres illicit Nepali liquor from the motorcycle.

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 ulterior motive. The petitioner is not



named in the F.I.R. and is the registered owner of the seized blue colored Glamour motorcycle. The petitioner was not arrested on the spot and, thus, nothing incriminating has been recovered from his conscious possession or from his house. The petitioner is an old person and is suffering from several diseases. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 23.09.2024 without any rhymes or reason.

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 Deodha
P.S. Case No. 78 of 2024.

(Rudra Prakash Mishra, J)

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