

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.120 of 2024

Arising Out of PS. Case No.-834 Year-2023 Thana- Excise P.S. District- Banka

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Toni Paswan S/O- Ramta Ram Resident of village- Kirhi , P.S.- Karakat,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 2544.120 liters of illicit liquor from a truck bearing Reg. No BR02GA 2266.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that the said vehicle belongs to one Nandlal Sah from where the recovery of illicit liquor has been made and this fact has come in FIR itself. Nothing has



been recovered from the conscious possession of the petitioner and he has no concern either with the seized liquor or with the vehicle in question. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Banka (Excise) P.S. Case No. 834 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-V, Banka.

(Sunil Kumar Panwar, J)

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