

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86030 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- Excise P.S. District- Buxar

Vickey Kumar Paswan @ Viki Kumar Paswan Son of Late Vijay Paswan @
Dhur Bijay Paswan @ Late Virendra Paswan R/o vill - Jamua Purani Basti,
P.S. - Kotwali, Distt - Balia (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular registered under section 30(a), of the Bihar
Prohibition and Excise Act.

As per FIR, prosecution case relates to recovery of
1280 liters country made liquor and 851.040 liters foreign
liquor from a vehicle and the petitioner was also apprehended
on the spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner has no concern with the alleged recovery and no any incriminating article has been recovered from his conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dumraon Excise P.S. Case No. 139 of 2023 on furnishing bail bond



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Special Excise
Court-II, Buxar.

(Sunil Kumar Panwar, J)

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