

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6483 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- Excise P.S. District- Khagaria

Pankaj Paswan Son Of Sri Manilal Paswan Resident Of Village - Bind Toli,
Ward No.07, P.S. - Gopalpur, District - Bhagalpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise Case No. 1058C3/23, arising out of Khagaria Excise P.S. case No. 413/23 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 423 liters liquor is recovered from the pick-up van and 36 liters liquor is recovered from a car.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner has got no concerned with the alleged recovery of liquor. The name of the petitioner has transpired as the pick-up van, from which recovery is made, belongs to the wife of the petitioner.



The said pick-up van has been misused by the driver of the said vehicle. The petitioner is in custody since 01.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 85765 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Excise Case No. 1058C3/23, arising out of Khagaria Excise P.S. case No. 413/23.

(Rudra Prakash Mishra, J)

Pankaj/-

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