

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86609 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- KHAJAULI District- Madhubani

1. Rohit Paswan son of Sankar Paswan village- khajauli Maniyarwa, p.s.- khajauli, Ward no. 8, Ps- Khajauli, Dist- Madhubani
2. Lalit Kumar Paswan son of Ramdinesh Paswan village- Sarabe, Ps- Khajauli, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Khajauli P.S. Case No. 244 of 2024 instituted for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 193.5 litres of liquor was recovered from tempo. Petitioners were apprehended on the spot.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 25.10.2024 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajauli P.S. Case No. 244 of 2024.

(Rudra Prakash Mishra, J)

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