

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1233 of 2024

Arising Out of PS. Case No.-147 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Amar Kumar Paswan @ Amar Paswan S/O- Ramnaresh Paswan Village- Mou
Dhaneshpur North, P.S.- Vidyapati Nagar, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Shahpur Patory
(Mohanpur O.P.) P.S. Case no. 147 of 2022 registered under
sections 272, 273, 279, 337 and 338 of the Indian Penal Code
and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 210 litres of country
made liquor was recovered from the vehicle in question and the
F.I.R was registered against the owner and the driver of the said
vehicle.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case only for the
reason that he happens to be the owner of the vehicle. Neither



he was arrested at the spot nor any incriminating article recovered from his possession. He is in custody since 6.10.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner not having been arrested at the spot, his having remained in custody since 6.10.2023, charge-sheet having been submitted in the case and especially the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Shahpur Patory (Mohanpur O.P.) P.S. Case no. 147 of 2022, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court no. 2, Samastipur.

(Partha Sarthy, J)

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