

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7091 of 2024

Arising Out of PS. Case No.-395 Year-2023 Thana- SIMRI District- Buxar

=====

Mukesh Kumar Paswan son of Ramashankar Paswan @ Rama Shankar Ram
Village- Khandhara Pandeypur Ps- Simri Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Setu Prateek, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Simri P.S. case No. 395
of 2023 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act(Amendment) Act, 2022.

3. The prosecution case, in short, is that on secret
information, 25 liters wine has been recovered from the
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. It is
alleged that 25 liters wine is recovered from the motorcycle in
question. The motorcycle in question does not belong to the
petitioner. The petitioner has got no concerned with the alleged



recovery of liquor. The petitioner is in custody since 16.11.2023 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 31.01.2024 passed in Cr. Misc. No. 2715 of 2024.

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, the petitioner having no criminal antecedent 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 Simri P.S. case No. 395 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

