

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9248 of 2025

Arising Out of PS. Case No.-80 Year-2018 Thana- PUNPUN District- Patna

Munna Kumar Paswan S/O Ajay Paswan R/O Vill.- Jogiya Toli @ Jogiya Toli, Phulwari, P.S.- Phulwari, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 07-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Punpun P.S. Case No. 80 of 2018 dated 03.04.2018, instituted for the offence punishable under Section 273 of the I.P.C. and Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 10 litres from the Tempo bearing Reg. No. BR01PH-1667 which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the said tempo was purchased for commercial purpose and on daily basis one Md. Sahil resident



of Phulwari hired the said tempo @ Rs. 400/- per day. It is submitted that without knowledge of the petitioner, the driver was carrying the said illicit wine in the tempo. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Punpun P.S. Case No. 80 of 2018, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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