

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10397 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- MALAHI District- East Champaran

Rajesh Paswan @ Chhotelal Paswan S/O Late Garchun Paswan Resident of
Village- Khajuriya (Khajuria), P.S.- Malahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, State

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

ORAL ORDER

2 24-02-2025 Heard Mr. Ajay Kumar Singh, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Malahi PS Case No. 160 of 2024 instituted for the offences
under Sections 30(a) and 37 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 15
litres of country made liquor was recovered from Bushes.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been
recovered from the conscious possession of the petitioner.
The petitioner has got no concern with the alleged recovery



of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 21.12.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 and the period of custody undergone by the petitioner, 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 Malahi PS Case No. 160 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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