

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14125 of 2025

Arising Out of PS. Case No.-124 Year-2021 Thana- AMAS District- Gaya

Chunnu Paswan @ Viteny S/O Khakhan Paswan R/O Vill.- Gohi Naya Tola,
P.S.-Warisnagar, Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Thakur, Adv

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 05-03-2025 1. Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.
2. The petitioner seeks bail in connection with Amas P.S. Case No. 124 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The accused/petitioner is named in the F.I.R. and is in custody since 20.01.2025.
4. The allegation against the petitioner is to be engaged in illegal trade of illicit liquor, where, there is recovery of 1053 litres of foreign liquor from Tata 407 vehicle bearing Registration No. BR53-5480.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected in any manner with the alleged vehicle or alleged recovery of illicit liquor where nothing surfaced during the course of investigation, which may suggest that the petitioner was under knowledge of illegal consignment of illicit liquor. It is submitted that merely on the basis of confession of co-accused namely Ram Bharos Ray this petitioner was implicated with the present case without having any incriminating materials. It is also submitted that co-accused Ram Bharos Ray has already granted bail by this Court through Cr. Misc. No. 6022 of 2022 dated 15.07.2022. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation in this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as save and except suspicion arising out of



confessional statement of co-accused Ram Bharos Ray no illicit liquor *prima-facie* appears to be recovered from the conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Amas P.S. Case No. 124 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. V, Gaya, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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