

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18143 of 2025

Arising Out of PS. Case No.-364 Year-2023 Thana- KALYANPUR District- Samastipur

Mohanji @ Mohan Paswan @ Mohanji Patna @ Mohan Sah S/O Late Mangal
Paswan Resident of Village- Rasulla, P.S.-Pandarak, Goasa, District- Patna.
M. No. 9304614517

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No. 364 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 259.200 litres of liquor was recovered from pick-up vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been



recovered from the possession of the petitioner. It is submitted that petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Ritesh Kumar. The petitioner has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused have been granted bail by this Court *vide* orders dated 01.03.2024, 08.04.2024 and 19.07.2024 passed in Cr. Misc. Nos. 12987 of 2024, 23470 of 2024 and 31957 of 2024 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor
court in connection with Kalyanpur P.S. Case No. 364 of
2023, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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