

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21174 of 2025

Arising Out of PS. Case No.-438 Year-2017 Thana- BAHADURPUR District- Darbhanga

Rajeshwar Paswan @ Raju Paswan S/O Jagdish Paswan R/O Village- Ward
No. 17, Donar, P.S- Laheriasarai, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, ApP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Bahadurpur P.S. Case No.438 of 2017, for the offence punishable under Sections 30(a), 41 & 38 of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution, the total recovery of 198 litres of liquor have been alleged to be made from a tempo, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the spot and his name has been transpired only on the basis of confessional statement of co-accused persons. Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the petitioner's mobile number has been found in the



mobile record of apprehended accused persons.

5. Counsel further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that one co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 04.02.2022 passed in Cr. Misc. No.48761 of 2021.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No.1, Darbhanga in connection with Bahadurpur P.S. Case No.438 of 2017, subject to the following conditions as laid down under Section 438(2) of Cr.P.C.

(Dr. Anshuman, J.)

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