

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33269 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- PATEPUR District- Vaishali

Jitendra Paswan S/o Shiv Nandan Paswan Resident of village - Vivi Pesra,
P.S.- Hissa Fatehpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35698 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- PATEPUR District- Vaishali

Jitendra Kumar @ Jitiya S/o Ram Rattan Singh R/o Village- Shahawazpur
Puraina, P.S.- Harlochanpur (Patepur), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 33269 of 2025)
For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam
(In CRIMINAL MISCELLANEOUS No. 35698 of 2025)
For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 27-05-2025 Both applications have arisen out of same incident

and police station case; therefore, they are being heard

together and being disposed of by the common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. The petitioners have filed the instant application



for grant of regular bail in a case registered for the offences punishable under Sections 30(a), 32(2), 41(i) of the Bihar Prohibition & Excise Act.

4. It is a case of recovery of 2889 litres of foreign Liquor from a truck (Reg. No. BR-02W-9295) and Pickup Van (Reg. No. BR-01GD-3640). Petitioner – Jitendra Paswan is alleged to be the driver of the said Truck.

5. It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case. Nothing incriminating has been recovered from their conscious possession. Petitioners have no concern either with the seized liquor or with the vehicles in question. The name of Petitioner – Jitendra Paswan sprang up in this case merely because he is driver of the said Truck. Moreover, petitioner – Jitendra Kumar @ Jitiya was not named in the FIR and his name sprang up in this case on the disclosure of co-accused Vikash Kumar @ Baba, during the course of investigation of this case. Moreover, the petitioners are languishing in judicial custody since March, 2025. Similarly situated co-accused



persons, namely, Vikash Kumar @ Baba and Manish Kumar @ Lalu have already been granted bail vide order dated 14.05.2025, passed in Cr. Misc. No. 31668 of 2025 by the co-ordinate Bench of this Court.

6. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

7. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail, **after framing of charge**, in connection with Patepur P.S. Case No. 87 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise court II, Hajipur, Vaishali/concerned Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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