

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37290 of 2025

Arising Out of PS. Case No.-916 Year-2024 Thana- BARH District- Patna

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Aakash Kumar @ Akash Kumar @ Koko Kumar S/o- Sukhdeo Mistry @
Sukhdeo Mistry @ Sukul Sharma Village- Budhuaddin Chak , PS-Barh,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner is directed to make
necessary correction in para 4 of the bail petition in course of the
day.

3. The petitioner seeks bail in connection with Barh P.S.
Case No. 916 of 2024 dated 01.12.2024 registered for the
offences punishable under Sections 30(a) and 45 of the Bihar
Prohibition and Excise Act, Sections 132, 109(1) read with
Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms
Act.

4. As per the prosecution case, total 41.5 litres of
foreign liquor and beer was recovered from the bags of Sunny



Paswan and Ajay Kumar who disclosed the names of Golu Kumar, Anil Paswan, Rahul Chaudhary, Koko Kumar (petitioner) and Sujit Paswan @ Viswajit Paswan as fleeing persons from the place of occurrence and during that course they also started firing on police with intention to kill them. It is also alleged that near R.P.F. Barrack, two fired cartridges were also recovered.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the arrested co-accused persons namely Sunny Paswan and Ajay Kumar. No incriminating article has been recovered from his possession. The recovery of alleged seized liquor was recovered from the bags of the co-accused Sunny Paswan and Ajay Kumar and the petitioner has no connection with them. The petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 09.07.2025 passed in Cr. Misc. No. 31471/2025. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.03.2025.



6. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Barh, Patna in connection with Barh P.S. Case No. 916 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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