

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44368 of 2025

Arising Out of PS. Case No.-152 Year-2021 Thana- ROSERA District- Samastipur

Shree Radhe Shyam Paswan@Radhe Shyam Paswan S/o Gangasagar Paswan
@ Late Ganga Prasad Paswan @ Ganga Sagar R/o vill - Purani Bhirha, P.S.-
Rosera, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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

ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rosera
PS Case No. 152 of 2021 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Sections 272, 273 & 34 of the Indian Penal Code (for short
'IPC').

3. The prosecution case, in short, is that 323.97 liters
liquor was recovered from house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is made from the joint house of the petitioner, where other family members also reside. The petitioner is in custody since 17-04-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rosera PS Case No. 152 of 2021.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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