

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68668 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- SAHARGHAT District- Madhubani

1. Shatrughan Paswan @ Satrudhan Paswan, Male, aged about 22 years, Son of Bulan Paswan, Resident of village - Massa, P.S. - Jale, District – Darbhanga.
2. Rabindra Paswan @ Ravindra Paswan, Male, aged about 27 years, Son of Chandeshwar Paswan, Resident of village - Hariharpur, P.S. - Pupri, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Saharghat P.S. Case No. 05 of 2024 instituted for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As the prosecution case, 90 liters of illicit liquor has been recovered from the Appache Motor Cycle bearing Registration No. BR07BB2256 and 90 liters of illicit liquor has been recovered from the Splendor Motor Cycle bearing Registration No. BR30AH4883.



4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to dirty village politics. He further submits that the person who was arrested at the spot has not disclose the names of these petitioners. He next submits that petitioners have been implicated in the present case as they are the owner of the seized motor cycle bearing registration nos. BR07BB2256 and BR30AH4883 but they have no concerned with the seized alleged wine. Petitioners have got clean antecedent as stated in para 3 of the petition.

5. Learned APP for the State has opposes the prayer for bail.

6. From perusal of the FIR and also perused the impugned order dated 12.08.2024 passed by the learned Additional Sessions Judge-II-cum-Special Judge, (Excise Act), Madhubani it appears that petitioners have implicated in this case because they are the owner of the motorcycle from which the illicit liquor have been recovered. From perusal of the FIR and seizure list available on record states that the seized motorcycle from which recovery was made belong to these petitioners, so considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties as



well as involvement of the petitioners in the alleged commission of offence, I am not inclined to grant bail to the petitioners.

7. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

