

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75020 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- JAYNAGAR District- Madhubani

Vivek Kumar Paswan @ Vivek Kumar S/o Dharmendra Paswan @ Dharam Paswan @ Dharam @ Dharmendra R/o Village- Quad, Bagewatol, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Jaynagar PS Case No. 306 of 2025 instituted for the offences under Section/s 30(a) of the Bihar Prohibition and Excise Act and Section 274, 275 & 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 1350 liters *Nepali* liquor was recovered from six motorcycles, out of which 225 litres was recovered from the motorcycle which the petitioner was riding.

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 petitioner is not the owner of the motorcycle in question and he has no concern with the same. The petitioner is in custody since 08.09.2025 and has got one 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 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaynagar PS Case No. 306 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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