

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83472 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Pankaj Paswan Son of Ganga Paswan Resident of village -Chakshyam Nagar
Baghi, Ward No 10, PS -Karpurigram District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. At the outset, learned counsel for the petitioner is
permitted to make necessary correction/s in the cause title of the
bail application.

3. The petitioner seeks bail in connection with
Musarigharari PS Case No. 154 of 2024 instituted for the
offences under Sections 319(2), 318(2) of the Bharatiya Nyaya
Sanhita, 2023 and Sections 30(a), 33, 36 & 41 of the Bihar
Prohibition and Excise (Amendment) Act, 2022.



4. The prosecution case, in short, is that 179.25 liters Indian made foreign liquor, 210 liter spirit and several empty bottles with wrapper of different brand of liquors were recovered.

5. 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. The petitioner is not the owner nor tenant of the premises from where recovery is made. The petitioner is in custody since 14-10-2024 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet has been submitted in this case.

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

7. 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.

8. 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 Musarigharari PS
Case No. 154 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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