

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89927 of 2024

Arising Out of PS. Case No.-604 Year-2024 Thana- BAKHTIYARPUR District- Patna

Umesh Paswan Son of Rajendra Paswan Resident of Village- Ghosawari, PS-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 604 of 2024 instituted for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act and 25(1-b)a, 26, 35 of the Arms Act

3. The prosecution case, in short, is that total 20 litres
of liquor has been recovered from the house of the petitioner. It
is further alleged that three cartridges have been recovered from
the house of one Devendra Saw.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from the joint house of the petitioner where other family



members of the petitioner also reside. No arms or ammunitions has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged recovery of arms and ammunitions or with the recovery of liquor. The petitioner is in custody since 20.10.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhtiyarpur P.S. Case No. 604 of 2024.

(Rudra Prakash Mishra, J)

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