

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 39667 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Rajesh Paswan S/o Chandrika Paswan, resident of Village – Tanadih, P.S. –
Aamas, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-08-2017 Heard Sri Rakesh Singh, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
21-04-2017 in Aurangabad (Muffasil) P.S. Case No. 55 of 2017
registered for offence under Sections 30(a) of Bihar Prohibition
and Excise Act, 2016 (for short “Excise Act”), has prayed for
grant of bail.

By way of referring to statement made in paragraph –
3 of the petition, it was submitted by learned counsel for the
petitioner that petitioner is having clean antecedent. It was
submitted by learned counsel for the petitioner that on false
accusation, as if petitioner was sitting in a Bollero car, from
which, huge quantity of country-made liquor was recovered, was
arrested. He submits that in the seizure list, there is no signature of



either petitioner or so called driver of the vehicle. According to learned counsel for the petitioner, the petitioner was standing by the side of the road in the meanwhile a vehicle was intercepted by the police and since accused persons had fled away, the petitioner was arrested as if he was in the vehicle.

However, considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner namely Rajesh Paswan be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VII cum Special Judge, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 55 of 2017.

(Rakesh Kumar, J.)

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