

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31817 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- PAUTHU District- Aurangabad

Nand Lal Kumar, son of Janeshwar Paswan, resident of village- Shahpur, P.S.-
Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sucheta Yadav

For the Opposite Party/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 21-05-2018 Heard learned counsels for the petitioner and the State.

The petitioner apprehends his arrest in connection with
Pauthu P. S. Case No. 23 of 2018 instituted under Sections 30(a)
and 38 of the Bihar Prohibition and Excise Act, 2016.

It is submitted that there is no recovery of any country
made liquor from the possession of the petitioner as the FIR
itself reveals that miscreants escaped away and on secret
information petitioner's name transpired, however, petitioner has
no criminal antecedent and facts alleged do not make out *prima*
facie case against petitioner under excise Act.

Having considered the aforesaid facts and circumstances,
let the petitioner, namely, Nand Lal Kumar, in the event of arrest
or surrender before the court below within four weeks from
today, be released on bail upon furnishing bail bonds of
Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Aurangabad in connection with Pauthu P.S.Case No. 23 of
2018; subject to the conditions laid down under Section 438(2)
of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

sujit/-

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