

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41057 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- RAIL JHAJHA District- Jamui

Sunny Paswan, S/o Late Yogi Paswan, R/o Bata More Hathidah, Ward No.II,
P.S.- Hathidah, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 12.05.2018 in connection with Jhajha Railway P.S. Case No. 68 of 2018, registered for the offence punishable under Section 30 (a) 38 (i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Learned counsel for the petitioner further submits that only on suspicion petitioner has been apprehended in this case by the Jhajha railway police. Learned counsel submits that 23.4 liters of Desi wine was recovered, not from the possession of the petitioner, but from a bag which was lying in the train in which the petitioner was travelling UP Howra- Darbhanga Express. He submits that



petitioner is in custody since 12.5.2018.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from the conscious possession of the petitioner and petitioner has remained in custody nearly two months, let the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 2nd Additional District and Sessions Judge, Jamui in connection with Jhajah Railway P.S. Case No. 68 of 2018.

(Anil Kumar Upadhyay, J)

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