

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42539 of 2018

Arising Out of PS.Case No. -204 Year- 2018 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Gopal Paswan,, Son of Mankeshwar Paswan, resident of village –
Mithanpura, Police Station – Mehshi, District – East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 16-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30, 37(d) and 38 of the Bihar
Prohibition and Excise Act, 2016.

20 litres of toddy is said to have been recovered
from the grocery shop of the petitioner and the petitioner was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized toddy. Aforesaid toddy was not seized from the
shop of the petitioner rather from the road dumped by some



unknown miscreant who managed to escape seeing the police party. He has been falsely implicated in the case by the police merely on suspicion. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 20.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Addl. Sessions Judge-VII cum Special Judge, Excise, East Champaran, Motihari in connection with Mehsi P.S. Case No. 204 of 2018.

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(Prakash Chandra Jaiswal, J)

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