

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49573 of 2018**

Arising Out of PS.Case No. -129 Year- 2018 Thana -ARA MUFFSIL District- BHOJPUR

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Dharmendra Paswan S/o Late Ram Pravesh Paswan, R/o Vill.- Manpur,  
P.S.- Ara Muffasil, (O.P. Dhobahan), District- Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

2      13-08-2018      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 272 & 273 of the Indian Penal Code and Sections 30 (a) and 37(B) of the Bihar Prohibition and Excise Act, 2016.

Out of the five apprehended accused persons, 8 liters of country made liquor is said to have been recovered from Suresh Bhagat and 2 liters of country made liquor is said to have been recovered from the co-accused Birendra Ram and they divulged to have taken the said liquor from the petitioner Dharmendra Paswan.

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 either with the seized liquor or any trade of liquor. He has been falsely implicated in this case by the apprehended accused due to animosity. Barring the aforesaid disclosure made by the apprehended accused, there is nothing on record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 31.05.2018.

In the facts and circumstances of the case, 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 4<sup>th</sup> Additional District and Sessions Judge-cum-Special Judge Excise Act, Bhojpur at Ara in connection with Excise Case No. 733 of 2018 arising out of Ara Muffasil (Dhobha) P.S. Case No. 129 of 2018.

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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