

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43992 of 2018

Arising Out of PS. Case No.-104 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

1. Ajay Paswan,
2. Vijay Paswan, S/o Late Laxman Paswan, R/o Village- Dighi Khurd, P.S. Sadar Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP 83

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek bail in connection with Sadar Hajipur P.S. Case No. 104 of 2017 registered under Section 414 of the Indian Penal Code and Sections 30(A) and 38 of the Bihar Prohibition and Excise Act, 2016.

60 liters of country made liquor is said to have been recovered from the motorcycle of the petitioners, which was parked in the verandah of the petitioners and the petitioners were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have



no concern with the seized liquor. They have been falsely implicated in the case at the instance of their enemies. The house of the petitioner is inhabited by several family members and they had no knowledge of keeping of the aforesaid liquor on the motorcycle there. They have no criminal antecedent. Petitioner no. 1, Ajay Paswan, has been languishing in custody since 27.06.2018 while petitioner no. 2, Vijay Paswan, since 25.06.2018.

Considering the facts, aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Sadar Hajipur P.S. Case No. 104 of 2017 to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Vaishali at Hajipur.

(Prakash Chandra Jaiswal, J)

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