

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52047 of 2018

Arising Out of PS. Case No.-349 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Ramu Paswan S/o Late Shivdhari Paswan, R/o Vill.- Gandhinagar, Ward No. 9, P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 28-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Complaint Case no. C-2/349 of 2018 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

35.100 lts. of Nepali Saufi wine is said to have been recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case by the personnel of Excise Department merely on suspicion while



he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing them. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 28.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Complaint Case no. C-2/349 of 2018.

(Prakash Chandra Jaiswal, J)

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