

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8554 of 2018

Arising Out of PS. Case No.-620 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kishun Paswan @ Krishna Paswan, son of Gaya Paswan, r/o- village
Madhubani Ghat, P.s.- Motihari Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273 and Section 30 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 liters country
made liquor is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the
alleged recovery is made from the joint house of the petitioner
where other family members also reside. Except for this, there is



no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 3 liters country made liquor is recovered from the joint house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari in connection with Motihari Muffasil P.S. Case No. 620 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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