

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20225 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District - SAMASTIPUR

Rohit Paswan, Son of Asharfi Paswan, Resident of Village - Durgapur, P.S. Hasanpur, District Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Ranjan, Advocate.

For the State : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 20.02.2018 in a case for the offence registered under Sections 30(a)(d) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 15 liters wine alongwith 320 Kg. of Jawa Gurd is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge Sheet/Prosecution Report has been submitted in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 15 liters wine alongwith 320 Kg. of Jawa Gurd wine is recovered from the different houses in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Excise Case No. 56 of 2018.

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(Sudhir Singh, J)

