

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1531 of 2018

Arising Out of PS.Case No. -332 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Shiv Shankar Paswan @ Arun Kumar @ Shiv Shanker Paswan son of
Suresh Paswan resident of village Jhakhra, P.S. Sarai Ranjan, District -
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 332 of 2017 registered under Sections
272, 273, of the Indian Penal Code and under Sections 30(a)
38(1)(2) and 41(1) of Bihar Prohibition and Excise Act-2016.

52.140 lts. of foreign liquor is said to have been
recovered from the Alto Car and the motorcycle and petitioner
along with two other accused persons namely, Mahesh Prasad and
Umesh Jha were apprehended by the police. As per Umesh Jha,
he had purchased the said liquor from Kamlesh Sahni.

It is submitted by learned counsel for the petitioner



that the petitioner happens to be owner-cum-driver of the Alto Car and his car was hired by Umesh Jha who had loaded the aforesaid liquor on his car in the cartoon. Though, one more case under Excise Act has been lodged against the petitioner but he has been enlarged on bail in the said case. The petitioner has been languishing in custody since 15.10.2017. Said Umesh Jha has been enlarged on bail by the learned lower court while Mahesh Prasad has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 22.12.2017 passed in Cr. Misc. no. 58967 of 2017.

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 Additional District & Sessions Judge-VIth-cum-Spl. Judge (Excise) Samastipur in connection with Dalsingsarai P.S. Case No. 332 of 2017.

(Prakash Chandra Jaiswal, J)

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