

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31760 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Gautam Paswan, Son of Banwari Paswan, Resident of Village- Rajawar, P.S.-
Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-06-2018 Heard learned counsel for the petitioner and learned
learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Excise
Complaint Case No. 85 of 2018 for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He is in custody since
08.04.2018. Recovery was not made from the conscious
possession of the petitioner and in the preparation of the seizure
list mandatory prohibition of Section 100 Cr.P.C. was not
followed.

Considering the fact that the petitioner has no criminal
antecedent and he has remained in custody for nearly three



months, let the petitioner, above named, 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 Additional Sessions Judge II, Banka, in connection with Excise Complaint Case No. 85 of 2018.

(Anil Kumar Upadhyay, J)

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