

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45735 of 2018

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Sakaldeep Paswan, Son of Chitbahal Paswan @ Chitbahal Ram, resident of
village – Gothuhoola, P.S.-Ara (Muffasil), District – Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

70 litres of country made liquor is said to have been
recovered from the front of the house of Jilal Yadav and six
accused persons including the petitioner were apprehended in the
course of escaping from the aforesaid place.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or with the place of recovery. He has
been falsely implicated in the case by the police merely on



suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid liquor there seeing the police party. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 16.05.2018.

Considering the facts aforesaid, 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 Special Judge cum A.D.J.-IV, Bhojpur at Ara in connection with Excise Case No. 839 of 2018 arising out of Ara (Muffasil) P.S. Case No. 154 of 2018.

(Prakash Chandra Jaiswal, J)

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