

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44775 of 2018

Arising Out of PS.Case No. -690 Year- 2017 Thana -AGAMKUAN District- PATNA

=====

1. Mithilesh Paswan S/o Sarvan Paswan, R/v Mahwar, P.S.- Chandi, Distt.-
Nalanda at present Begumpur, Mandaipar, P.S.- By Pass, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 419, 420 and 468 of the Indian
Penal Code, Section 30(a) of the Bihar Prohibition and Excise Act,
2016, Section 36 of the Copy Right Act and Sections 103/104 of
the Trade Mark Act.

Three bags containing wrappers of different
medicine and foreign liquor are said to have been recovered from
the trolley of the petitioner and the petitioner was apprehended.

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



with the seized article. He happens to be trolley puller and was carrying the aforesaid bags at a paltry freight of Rs.300/- without knowing the contents of the bags. As there is no recovery of any liquor, hence provision of Section 30 of the Bihar Prohibition and Excise Act is not applicable in this case. He has been falsely implicated in the case. He has no criminal antecedent. He has been languishing in custody since 26.12.2017.

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, Excise, Patna in connection with Special Case No. 9571 of 2017 arising out of Agamkuan P.S. Case No. 690 of 2017.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

