

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47570 of 2018

Arising Out of PS. Case No.-41 Year-2018 Thana- DANIYAWA District- Patna

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Ram Pravesh Paswan @ Tumtum Paswan @ Ram Pravesh Prasad, S/o Late Barhu Paswan, resident of Thegua, P.S. Fatuha, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Daniyawar P.S. Case No. 41 of 2018 registered for the offence punishable under Sections 30(a), 38(1) of Bihar Prohibition Excise Act, 2016.

19 lts. of country made liquor is said to have been recovered from *Kacha* road and petitioner and one other accused, namely, Chote Jamadar managed to escape who is said to have concealed the said liquor there.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either



with the seized liquor or with the place of recovery. The place of recovery is open place and easily accessible to anyone. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 02.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Special Judge, Excise Act, Patna in connection with Daniyawan P.S. Case No. 41 of 2018.

(Prakash Chandra Jaiswal, J)

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