

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50696 of 2018

Arising Out of PS.Case No. -130 Year- 2018 Thana -FULKAHA District- ARRARIA

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Ajay Paswan, Son of Sri Lalan Paswan, Resident of Village- Akha
Madhura, Ward No. 01, Police Station- Fulkaha, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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

ORAL ORDER

2 18-08-2018 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.

36 litres of Nepali saufi wine is said to have been
recovered from the bag kept on the motorcycle and petitioner was
apprehended riding the aforesaid motorcycle while another
accused person managed to escape.

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 liquor. He has been falsely implicated in this case



by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. The real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 18.07.2018.

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 A.D.J.-II cum Special Judge, Araria in connection with Excise Special/Special Case No. 822 of 2018 arising out of Fulkaha P.S. Case No. 130 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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