

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53584 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -MAHESI District- EASTCHAMPARAN
(MOTIHARI)

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Ram Ekbal Paswan Son of Gulteni Paswan Resident of Village- Katahan,
Police Station- Mehshi, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-08-2018 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 Sections 37(d) and 38 of the Bihar
Prohibition and Excise Act, 2016.

2 litres of sprit and 30 litres of toddy are said to have
been recovered from the house of the petitioner which is said to be
brought there for the purpose of vending.

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 article or any trade of toddy and liquor. He has been



falsely implicated in the case at the instance of his enemy. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said article in the house. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has been languishing in custody since 22.07.2018. Though one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case.

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 7th Additional Sessions Judge cum Special Judge, Excise, East Champaran at Motihari in connection with Mehsi P.S. Case No. 18 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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