

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26605 of 2018

Arising Out of PS. Case No.-38 Year-2018 Thana- MALSALAMI District- Patna

Sunil Paswan aged about 19 Years S/o Yogendra Paswan, R/o Mohalla- Simli Chaknuri, Gali, P.S.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Prasad, Adv.

For the Opposite Party/s : Mr. Anant Kumar, APP 237

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Malsalami P.S. Case No. 38 of 2018 (Special Case No. 846 of 2018) registered under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 37(C) of the Bihar Prohibition and Excise Act, 2016.

Forty liters of country made liquor is said to have been recovered from the open place located north of brick kiln near Ganga river at Damrahi Ghat and the petitioner was apprehended during the course of escaping.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



conscious possession of the petitioner. He has no concern either with the seized liquor or place of recovery. The petitioner was apprehended on suspicion by the police while he was passing through the place of occurrence at the time of occurrence. Seizure list does not bear the signature of the petitioner and there is violation of Section 100 of the Criminal Procedure Code. He has no criminal antecedent. He has been languishing in custody since 01.02.2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Malsalami P.S. Case No. 38 of 2018 (Special Case No. 846 of 2018) to the satisfaction of the Special Judge, Excise, Patna.

(Prakash Chandra Jaiswal, J)

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