

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24080 of 2018

Arising Out of PS.Case No. -107 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

=====

1. Rajesh Paswan, son of Bilash Paswan @ Vilas Paswan, resident of
Village- Nandwara, Ward No. 10, P.S. Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 30-04-2018 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.

108 liters of Nepali saufi wine kept in 360 bottles
are said to have been recovered from the possession of the
petitioner.

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 been
falsely implicated in this case by the police merely on suspicion.



He has no concern with the seized liquor As a matter of fact, it is not possible for a person to carry 360 bottles in hand. The said aspect of the case creates serious doubt about the prosecution case. He has no criminal antecedent and has been languishing in custody since 17.02.2018.

In the facts and circumstances of the case, 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 2nd Additional District & Sessions Judge-cum-Special Judge Excise Act, Sitamarhi in connection with Case No.C-2/107 of 2018/148 of 2018.

(Prakash Chandra Jaiswal, J.)

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