

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19267 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- TARIYANI CHOWK District- Sheohar

Mahadev Paswan, Son of Pukari Paswan, resident of Village Gangati, P.S.-
Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 14.02.2018 in connection with Tariyani Chapra P.S. Case No. 05 of 2018, G.R. No. 96 of 2018 for offences punishable under Sections 30(a), 32(c), 37(b), 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on patrolling duty they found some persons consuming liquor and a motorcycle containing gallons of 25-25 litres tied with the motorcycle and large number of persons selling and consuming liquor. Two persons including the petitioner were apprehended selling liquor and from their possession, from the gallon kept outside, 200 litres of country-



made liquor was seized. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, the raid was conducted in a market place and nothing has been recovered from his conscious possession as large number of persons were there. He submits that the petitioner bears no criminal history and has been punished sufficiently.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned 1st Additional Sessions Judge cum Special Judge, Sheohar, in connection with Tariyani Chapra P.S. Case No. 05 of 2018, G.R. No. 96 of 2018, subject to the condition that the petitioner will cooperate in the investigation/ trial and provide all necessary information, failure of which will entail cancellation of his bail bonds.

Rajesh/-

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(Nilu Agrawal, J)

