

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10288 of 2018

Arising Out of PS. Case No.-676 Year-2017 Thana- JAHANABAD District- Jehanabad

Brajesh Paswan S/o Late Ram Ishwar Paswan, R/o Village- Aaripur, P.S.-
Bishnuganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. MANOJ KUMAR - 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 120(B) IPC and Sections 30(a), 32(2), 41 and 56 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 558 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.12.2017. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused namely Rajesh Paswan. Petitioner has been apprehended on the spot. It is



alleged that 558 liters wine is recovered from the truck in question. The truck in question does not belong to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- Jehanabad in connection with Excise Case No. 1116 of 2017 (arising out of Jehanabad P.S. Case No. 676 of 2017).

(Sudhir Singh, J)

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