

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42870 of 2018

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Jagdish Paswan, Son of Late Goverdhan Paswan, resident of village –
Soneversa, P.S.-Rafiganj, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 17-07-2018 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 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

182.750 litres of foreign liquor is said to have been
recovered from the straw room of the petitioner located bit apart
from his house and the petitioner and his daughter-in-law were
apprehended.

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
with the seized liquor. He has been falsely implicated in the case
at the instance of his enemies. The house of the petitioner is



inhabited by several family members and he had no knowledge of keeping of the said liquor in the aforesaid straw room. There is violation of Section 100 Cr.P.C. Petitioner happens to be old person aged about 60 years. He has no criminal antecedent. He has been languishing in custody since 24.05.2018.

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 Addl. District and Sessions Judge-VII cum Special Judge, Excise Act, Aurangabad in connection with Rafiganj P.S. Case No. 90 of 2018.

(Prakash Chandra Jaiswal, J)

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