

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51118 of 2018

Arising Out of PS.Case No. -221 Year- 2018 Thana -FATUA District- PATNA

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Ram Pravesh Paswan @ Santan Paswan @ Tomtom Paswan @ Ram
Pravesh Prasad S/o Late Barhu Paswan, R/o Vill.- Thegua, P.S.- Fatuha,
Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Talak Sao

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 20-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

20 litres of country made liquor, brewing machine
and a pot are said to have been recovered from the hut of Bocha
Gope and the petitioner and other accused persons managed to
escape from the said place.

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



either with the seized articles or with the hut in question. He has been falsely implicated in the case at the instance of his enemies. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. Though two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 21.06.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 3592 of 2018 arising out of Fatuha P.S. Case No. 221 of 2018.

(Prakash Chandra Jaiswal, J)

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