

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34238 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -NABINAGAR District- AURANGABAD

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Santan Paswan S/o Late Muni Paswan, R/o Vill.- Baghi, P.S.- Nabinagar,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Smt. Sharda Kumari

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

ORAL ORDER

2 20-06-2018 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.

40 litres of country made liquor is said to have been
recovered from the bag lying beside the motorcycle of the
petitioner fallen due to accident met by him.

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. As a matter of fact, he had fallen on the
place of occurrence meeting the accident while the real culprit



managed to escape seeing the police party dumping the aforesaid liquor there. Though two more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 27.04.2018.

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. Sessions Judge-VII cum Special Judge, Excise, Aurangabad in connection with Nabinagar P.S. Case No. 126 of 2017.

(Prakash Chandra Jaiswal, J)

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