

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45881 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- KHODABANDPUR District- Begusarai

Mukesh Paswan @ Mukesha Paswan S/o Ram Bahadur Paswan, R/o Village-
Khodawandpur, P.S. Khodawandpur, Distt-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Malay Kumar Choudhary Mr. Ashtiyaque Ahmad
For the Opposite Party/s :		Mr. Abhay Kumar Roy

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

ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Khodawandpur P.S. Case no. 43 of 2018 registered under
Section 30(a) of Bihar Excise and Prohibition Act-2016.

243 lts. of foreign liquor is said to have been
recovered from in front of the field of Jitendra Jha and co-
accused, namely, Ranbir Kumar was apprehended from the said
place, who disclosed the name of the petitioner as owner of the
said liquor.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery. He has been falsely implicated in this case by the apprehended accused due to animosity. Barring the aforesaid disclosure of apprehended accused, there is nothing in the record indicating complicity of the petitioner in the occurrence. He was not apprehended on the spot. There is no compliance of Section 100 Cr.P.C. Though, several other criminal cases have been lodged against the petitioner, but he is on bail in the said cases. He has been languishing in custody since 23.06.2018.

In the facts and circumstances of the case, 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-II-cum-Special Judge (Excise), Begusarai in connection with Khodawandpur P.S. Case no. 43 of 2018.

(Prakash Chandra Jaiswal, J)

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