

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7708 of 2019**

Arising Out of PS. Case No.-234 Year-2018 Thana- PANDAUL District- Madhubani

=====

Amarjeet Paswan @ Anarjeet @ Anarjeet Paswan, aged about 35 years,  
Gender-Male, Son of Ramashish Paswan, Resident of Village - Bhalpatti,  
P.S.- Tarsarai Muria, District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      11-02-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since  
23.12.2018 in a case registered for the offences punishable  
under Sections 272, 273/34 of the Indian Penal Code and  
Sections 30(a), 36, 38 (i), 41(i) of the Bihar Prohibition and  
Excise Act, 2016.

It is alleged that from a pickup van, 778.500 litres of  
illicit foreign liquor were recovered. The petitioner is alleged to  
have driven the pickup van in question.

It is submitted by learned counsel for the petitioner  
that co-accused Amarnath Sah called the petitioner and forced  
him to drive the pickup van and he is not aware about the illicit



liquor loaded on the pickup van. The police is not the chemical examiner to say that seized material is liquor. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the pickup van which was driven by the petitioner.

Considering the fact that the sample of the recovered liquor has not been sent for chemical examination and period under custody coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd cum Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 234 of 2018.

**(Dinesh Kumar Singh, J)**

DKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

