

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8370 of 2019

Arising Out of PS. Case No.-1219 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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DUKHAN PASWAN Son of Late Dhyani Paswan Resident of Village-
Anukupa, P.S.- Kutumba, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha
For the Opposite Party/s : Mr.Anita Kumari(App239)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.12.2018 in connection with Excise Case No. 1219 of 2018
for offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Excise
officials, is that on secret information that the petitioner is
dealing in illicit liquor, a raid was conducted at the house of the
petitioner and outside the house in the husk stack room 10 litres
of country-made liquor was recovered. Accordingly, a seizure-
list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the illicit liquor was not recovered from the possession or the house of the petitioner and that he undertakes not to induce the witnesses or tamper with the evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case of similar nature is pending against him.

Considering the nature of allegation and the materials on record, let petitioner, above named, 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 learned ADJ-VII cum Special Judge (Excise) Act, Aurangabad, in connection with Excise Case No. 1219 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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