

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9319 of 2019

Arising Out of PS. Case No.-811 Year-2018 Thana- KATIHAR District- Katihar

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HARISH CHANDRA PASWAN S/o Raghuni Paswan R/o Driver Tola, P.S.-
Katihar, Distt. Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 3.11.2018 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that SHO, Katihar Town conducted raid on 20.10.2018 when from near the house of Lalchand Choudhary, 62.190 litres of illicit liquor were recovered. It is alleged that the petitioner was seen escaping from the place of seizure.

It is submitted by learned counsel for the petitioner that the petitioner has been apprehended on the basis of mere suspicion. Admittedly, no recovery has been made from the possession of the petitioner. It is further submitted that the petitioner is accused in one other case but he is on bail in that



case.

Learned APP submits that the petitioner was found escaping from the place of seizure, hence, it was presumed that the seized liquor was stored by the petitioner.

Considering the accusation suggesting no recovery from the conscious possession of the petitioner and the period under custody, let the petitioner above named 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 the learned ADJ II-cum-Special Judge, Katihar in connection with Katihar Nagar P.S. Case No.811 of 2018.

(Dinesh Kumar Singh, J)

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