

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9832 of 2019

Arising Out of P.S. Case No.-708 Year-2018 Thana- HILSA District- Nalanda

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ASHOK PASWAN, aged about 55 years (Male), S/o Karu Paswan R/o
Village- Pachrukhiya , P.S- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Ajeet Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Hilsa
P.S.Case No.708 of 2018 for the offence alleged under Sections
272 and 273/34 of the Indian Penal Code and Sections 30(a) and
37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information that the wife of one
Mishri Paswan and the petitioner are bringing illicit country
made wine from outside and selling it, the police conducted a
raid and the petitioner along with the wife of Mishri Paswan
fled away leaving the illicit wine contained in bags and in their
house. Altogether 55 litres of country made wine was recovered
from both the places. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and it is on account of dirty village politics that the petitioner has been falsely implicated. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Hilsa P.S.Case No.708 of 2018 to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Nalanda, Bihar Sharif, subject to the condition that 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.

(Nilu Agrawal, J)

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