

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24162 of 2019

Arising Out of PS. Case No.-440 Year-2017 Thana- TEKARI District- Gaya

BIHAD PASWAN Son of Late Sharad Paswan Resident of Village -
Kritnawada, P.S.- Chandauti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2019 Heard both sides.

The petitioner apprehends his arrest in Tekari (Panchanpur) P.S. case No. 440 of 2017 registered under Section 30(a) (c) (d) of the Bihar Prohibition & Excise Act.

The informant, S.I. of Panchanpur O.P., alleged that on secret information he went to the place situated by the side of river and recovered 30 liters of country made liquor made of Mahua and other articles. The informant further alleged that Indradeo Paswan, Jatu Paswan, Bihad Paswan, the petitioner, Surendra Paswan and Rambali Paswan are involved in preparing illegal liquor but after seeing the police they managed to flee away.

The learned counsel for the petitioner submits that save and except suspicion there is no material to show that it



was the petitioner who was preparing country made liquor of Mahua. The petitioner is not involved in any excise case.

Taking into consideration the facts aforesaid and the fact that nothing has been recovered from the possession of the petitioner and there is no material to show that it was the petitioner who was preparing liquor along with other accused persons, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya in connection with Tekari (Panchanpur) P.S. case No. 440 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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