

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20577 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- KONCH District- Gaya

1. Bashisat Paswan, Son of Rambali Paswan Resident of Village - Palaki Sakhi,
P.S.- Konch, Distt - Gaya.
2. Vinod Paswan Son of Rambarat Paswan Resident of Village - Palaki Sakhi,
P.S.- Konch, Distt - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sharma
For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 28-06-2019 Learned counsel appearing on behalf of the petitioners

seeks permission to withdraw the application filed on behalf of
the petitioner No.1, namely, Bashisat Paswan as he has already
been apprehended by the Police.

In view of the above, the application filed on behalf of
the petitioner No.1, namely, Bashisat Paswan is dismissed as
withdrawn.

Heard learned counsel appearing on behalf of the
petitioner No. 2, namely, Vinod Paswan and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection
with Konch P.S. Case no. 47 of 2019, registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty



informant and other Police personnel received information about selling of illicit liquor by the petitioners in a hut in village Palaki. The informant and other Police personnel reached there and on seeing the Police personnel, two persons succeeded to flee away. On search, 13 plastic bags, containing 65 liters of country made liquor recovered from the hut.

Learned counsel for the petitioner No.2 submits that petitioner No.2 has not been apprehended by the Police on the spot, rather, the name of the petitioner disclosed by the villagers. The petitioner No.2 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner No.2, namely, Vinod Paswan, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Excise Judge, Gaya in connection with Konch P.S. Case No. 47 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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