

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27422 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- KESARIA District- East Champaran

1. Chintu Mian @ Md. Imtiyaz Son of Bhuta Mian, Resident of Village-Kesariya Kachhariya Tola, P.S.-Kesariya, District-East Champaran.
2. Pramod Paswan, Son of Ramjee Paswan, Resident of Village-Kesariya Kachhariya Tola, P.S.-Kesariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 29-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with Kesariya P.S. Case No. 97 of 2019 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act-2016.

22.500 lts. of country made liquor is said to have been recovered from the shop and boundary of petitioner Chintu Mian and co-accused Jamadar Paswan was apprehended from the place of occurrence while petitioner Chintu Mian and



petitioner Pramod Paswan managed to escape as per disclosure made by the apprehended accused.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. They have no criminal antecedent. It is further submitted on behalf of the petitioner Pramod Paswan that no liquor has been found from his possession. He has been falsely implicated in this case merely on suspicion while he was passing through the place of occurrence at the time of occurrence.

As there is recovery of country made liquor from the shop of petitioner Chintu Mian @ Md. Imtiyaz, I am not inclined him to enlarge on bail. Accordingly, his prayer is rejected.

However, petitioner no. 1 is directed to surrender before the court below within six weeks and seeks regular bail and learned court below shall pass order in accordance with law considering the facts and circumstances of the case without being prejudiced by this order.

As no liquor was seized from the possession of petitioner no. 2 (Pramod Paswan) and his name has surfaced on the disclosure of the apprehended co-accused, he is directed to be



released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 learned 7th Addl. Sessions Judge cum Special Judge, Excise, Motihari, East Champaran in connection with Kesariya P.S. Case No. 97 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, this bail petition is disposed of.

(Prakash Chandra Jaiswal, J)

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