

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29134 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- SAHPUR District- Bhojpur

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BIRENDRA PASWAN Son of Late Vishwanath Paswan Resident of Village -
Shahpur, Ward No. 2, P.O. - Shahpur Patti, P.S.- Shahpur, Distt - Bhojpur at
Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Excise Case No. 579 of 2019 arising out of Shahpur P.S. Case No. 63 of 2019**, instituted for the offence under Section(s) 30(A) of Bihar Liquor Prohibition (Amendment) Act, 2018.

Counsel for the petitioner submits that there is no recovery of any illicit liquor from possession of the petitioner.

It is alleged in the written report that one Prakash Kumar Chaudhary was apprehended by the Police with illicit liquor. He disclosed that he purchased the alleged liquor from *Gumti* of the petitioner. On the basis of such disclosure, Police raided the *Gumti* of the petitioner and recovered five pieces of



180 ml. of Royal Secret Whiskey and one piece of 180 ml. 8 P.M. Whiskey.

The seizure list which is part of First Information Report does not bear signature of the petitioner.

Petitioner is in custody since 26.3.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 learned **IVth Additional District Judge-cum-special Judge (Excise Act), Bhojpur at Ara**, in connection with **Excise Case No. 579 of 2019 arising out of Shahpur P.S. Case No. 63 of 2019**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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