

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79227 of 2018

Arising Out of PS. Case No.-225 Year-2018 Thana- AZAM NAGAR District- Katihar

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Mukesh Paswan S/o Raj Kumar Paswan @ Raj Kumar, R/O-Nauranga
Paswan Toli, P.S.-Azamnagar Salmari O.P., Distt-Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Azamnagar
(Salmari O.P.) P.S. case No. 225 of 2018 registered under
Section 30(a) of the Bihar Prohibition and Excise Act.

The gist of the allegation is that on secret informant
the police raided the house of Raj Kumar Paswan, father of the
petitioner, and from Godrej Almirah of petitioner 3.980 liters of
IMFL was recovered.

The learned counsel for the petitioner submits that
petitioner was not present in the house. The house is in joint
possession of all the family member and for that the petitioner
cannot be held responsible.

Considering the facts that small quantity, that is, 3.980
liter of liquor was recovered from the joint house of the



petitioner and for that petitioner, who is a junior member of the family, cannot be held responsible, the petitioner, above named, in the event of his arrest or surrender before the learned 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 furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Katihar in connection with Azamnagar (Salmari O.P.) P.S. case No. 225 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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