

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33794 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- HATHUA District- Gopalganj

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Rajendra Pasi Son of Buni Lal Pasi Resident of Village - Barawa Kaparpura,
P.S.- Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) 41 (i) (ii) of the Bihar
Prohibition and Excise Act, 2018.

The wife of the petitioner, namely, Saraswati Devi and
daughter Anita Devi are said to have been carrying the cartons
and on spotting by the police personnel, they made their good
escape dumping the aforesaid carton containing 41.400 liters of
foreign liquor and the police seized the aforesaid liquor.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or any trade of liquor. He has been falsely implicated in the case merely because he happens to be husband and father of the aforesaid two accused persons, namely, Saraswati Devi and Anita Devi respectively. He was not apprehended on the spot. He has been languishing in custody since 28.03.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner 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 2nd Additional Sessions Judge-cum-Special Judge Excise, Gopalganj in connection with Hathua P.S. Case No.21 of 2019.

(Prakash Chandra Jaiswal, J)

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