

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35982 of 2019**

Arising Out of PS. Case No.-74 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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RAMU PASWAN Son of Ram Bahadur Paswan @ Ram Bahadur Bhagat
Resident of Village- Daudnagar, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Ahtasham Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-08-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with C2A-74 of 2017 , registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 600 ml. of liquor from the banana field of the petitioner.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted, which will appear from the prosecution story as in column no.5 it has been mentioned that the same has been recovered from the Palani of the petitioner whereas in the column 6 it has been mentioned that the same has been recovered from Banana field and nothing has been recovered from his conscious possession . He has



criminal antecedent but he has been acquitted in all those cases.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II cum Excise Court, Vaishali at Hajipur in connection with C2A 74/2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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