

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38494 of 2019**

Arising Out of PS. Case No.-89 Year-2019 Thana- RAJAOLI District- Nawada

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UMESH PASWAN, Son of Kailu Paswan, Resident of Village- Kubhiyatri  
Colony, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 27-06-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Rajauli P.S. Case No.89 of 2019** instituted for the offence under Section(s) 30(a) of Bihar Prohibition and Excise Act, 2016.

As per seizure list, recovery of illicit liquor has been made from the house of Sunil Rajwanshi. It is alleged that the witnesses present at the time of seizure disclosed the name of the petitioner and other accused persons, who are indulged in storage and sale of illicit liquor.

Counsel for the petitioner submits that there is no recovery from conscious possession of the petitioner.

Petitioner is in custody since 23.03.2019.

In the 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 the **Additional Sessions Judge II cum Special Judge, Nawada**, in connection with **Rajauli P.S. Case No.89 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 that one more case under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of his furnishing bail bond that he will not indulge in such activities in future. In the event, he is found indulged in such activity in future, his bail bond in the instant case shall liable to be cancelled.

**(Sanjay Priya, J)**

J. Alam/-

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