

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48101 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- BADHAILA District- Rohtas

RAJU PASWAN, aged about 25 years, Male, Son of Siyaram Paswan @
Baghawt Paswan, Resident of Village- Shrinagar, Suara Tola, P.S.- Baghaila,
District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Baghaila P.S.
Case No.89 of 2018, registered under Sections 30(a) (c) (d) (g),
32(i), 34(a) (b) and 36 of the Bihar Prohibition and Excise Act,
2016.

The informant is said to have got information that the
petitioner and others were manufacturing liquor on the bank of a
river and on such a raid was conducted but petitioner managed
to flee away. From the place of occurrence, 20 litres of country
made liquor was recovered besides other utensils meant for
preparing liquor.

Learned counsel for the petitioner submits that there is
no tangible material to show that the petitioner was



manufacturing liquor on the bank of the river. The informant did not disclose the name of the person who is said to have disclosed about the petitioner that he was manufacturing liquor. Petitioner has got no criminal antecedent and the recovery cannot be said to have been made from the conscious possession of the petitioner as the liquor is recovered from abandoned place situated by the bank of a river.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 Act, Rohtas at Sasaram in connection with Baghaila P.S. Case No.89 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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