

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50616 of 2019

Arising Out of PS. Case No.-232 Year-2019 Thana- BIHIA District- Bhojpur

1. ARBIND PASWAN @ ARBIND KUMAR PASWAN Son of Munsu Paswan
R/o Village Amarai Nawada, PS. Bihiya, Distt.- Bhojpur.
2. Arun Kumar Paswan Son of Munsu Paswan R/O Village Amarai Nawada,
PS. Bihiya, Distt. Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-08-2019 Heard both sides.

The petitioners apprehend their arrest in Bihiya P.S.
case No. 232 of 2019 (Excise case No. 1251 of 2019) registered
under Section 30(A) of the Bihar Prohibition & Excise Act.

The informant alleged that he got information that
petitioners were indulged in manufacturing country made liquor
from Mahua in Majharia Badhar and on such information raided
the place but the petitioners managed to flee away and about 29
liters of country made liquor made of Mahua was recovered.
Other articles were also recovered from the place of occurrence.

The learned counsel for the petitioners submits that
recovery was made from a field. The petitioners have got no



manner of concern from the place of occurrence or the recovered articles. Nobody has seen the petitioners manufacturing country made liquor. Even the informant did not disclose the facts as to from whom he got information that the petitioners were indulged in manufacturing country made liquor and this fact itself shows that recovered was not made from conscious possession of the petitioners.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Bhojpur, Ara in connection with Bihiya P.S. case No. 232 of 2019 (Excise case No. 1251 of 2019), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

