

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57989 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- FATUA District- Patna

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KEDAR PASWAN Son of Jagat Paswan Resident of Thegua, P.S.- Fatuha,
Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-09-2019 Heard both sides.

The petitioner apprehends his arrest in Fatuha P.S.
case No. 221 of 2018, Special Case No. 3592 of 2018,
registered under Section 30(a) of the Bihar Prohibition & Excise
Act.

The informant alleged that Bocha Gope, Rudal
Paswan, Vaishali Paswan, Kedar Paswan, the petitioner, and
Santme Paswan are indulged in manufacturing liquor in the
cattle shed of Bocha Gope. When the police reached there the
accused persons managed to flee away. From the cattle shed of
Bocha Gope 20 liters of country made liquor was recovered.

The learned counsel for the petitioner submits that
petitioner has no manner of concern with the cattle shed of
Bocha Gope. Nothing has been recovered from the conscious



possession of the petitioner. Similarly situated accused Vaishali Paswan and Rudal Paswan have already been granted anticipatory bail vide order passed in Cr. Misc. No. 18491 of 2019.

Taking into consideration the facts that recovery was made from the cattle shed of Bocha Gope and petitioner is made accused in the case without any recovery from his conscious possession on the allegation that petitioner was indulged in manufacturing liquor, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Fatuha P.S. case No. 221 of 2018, Special Case No. 3592 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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