

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61998 of 2019

Arising Out of PS. Case No.-401 Year-2019 Thana- SARAIYA District- Muzaffarpur

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RAM SOBHIT PASWAN @ SHOBHIT PASWAN, Son of Late Bansur
Paswan, Resident of Village - Jalalpur, P.S.- Saraiya, (Jaitpur O.P.), Distt -
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
27.08.2019 in a case registered for the offences punishable
under Sections 272, 273, 353, 120B of the Indian Penal Code
and Sections 30(a)/45 of the Bihar Prohibition and Excise Act,
2016.

It is alleged that from a collided container truck, 540
litres of Indian Made Foreign Liquor were recovered.



It is submitted by learned counsel for the petitioner that the petitioner is neither the owner of the alleged container nor he was found present at the spot, but only on the basis of suspicion, he has been roped in the present case. A statement to that effect has been made in paragraph no.11 of the petition which reads as under :-

“11.That, the petitioner has no concern with the alleged container because he is either the owner of the container nor he was present at the spot nor anybody have seen fleeing the petitioner and hence there is no material against the petitioner.”

It is further submitted that apart from the present case, the petitioner is accused in two other cases, but in both the cases, he has been granted bail. A statement to that effect has been made in paragraph no.3 of the petition.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the said recovery has not been made from the conscious possession of the petitioner, let the above named petitioner 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 learned Special



Judge, Excise Act, Muzaffarpur, in connection with Saraiya
(Jaitpur) P.S. Case No. 401 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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