

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64099 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- KUSHESHWARASTHAN District-
Darbhanga

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RAM DAS PASWAN Son of Hare Ram Paswan Resident of Village-Fuljhari,
P.S-Kusheshwar Asthan (o.p. Tilleshwar), District-Darbhanga, at present R/o
Village-Tegachha, P.S.-Kusheshwar Asthan (o.p. Tilleshwar), District-
Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parth Gaurav

For the Opposite Party/s : Mr.Gulnar Begum

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kusheshwar Asthan (Tilleshwar O.P.) P.S. Case No.241 of
2018/G.O. Case No.849 of 2018 registered under Sections 30(a),
38(1) and 41(1) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty, on
receiving the secret information that a person was carrying the illicit
liquor, after keeping the same in the sack, loading on the motorcycle,
the informant along with other police personnel reached at Madan
Ghat Golma. On seeing the police party, one person borne on
motorcycle succeeded to flee away after jumping into the river.
Local Chwokidars disclosed the name of that person Ram Das



Paswan (petitioner). On search of the motorcycle, a sack containing 44 bottles, each containing 180 ml. Indian Made Foreign Liquor, were recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot rather his name has been disclosed by the local Chowkidars. The petitioner has no criminal antecedent..

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, 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 the Additional Sessions Judge-V-cum-Special Judge (Excise Act), Darbhanga, in connection with G.O. Case No.849 of 2018, arising out of Kusheshwar Asthan P.S. Case No.241 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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