

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74908 of 2019

Arising Out of PS. Case No.-251 Year-2019 Thana- BAHADURPUR District- Darbhanga

AMAR PASWAN S/o Videshi Paswan R/o village- Pandasarai, P.S.-
Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-12-2019 Heard learned Counsel for the petitioner and the
learned APP for the State.

Petitioner is in custody in Bahadurpur PS Case No.
251 of 2019 registered under Sections 30(a) and 41(1) of Bihar
Prohibition and Excise Act, 2016.

Petitioner is in custody since 14.8.2019.

It is submitted that petitioner's implication is only
on the basis of identification by the Chaukidar in the dead of the
night who claims to have identified nine persons including the
petitioner. Petitioner has no connection with the recovery of the
illicit liquor from the pick up van. He was not arrested at the
place of occurrence and seizure is not in accordance with
Section 100 Cr.P.C. Petitioner is already on bail in Laheriasarai
PS Case No. 105 of 2008.

Considering the aforesaid submissions as also the
facts and circumstances of the case, prayer for bail of the
petitioner is allowed.



Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge Excise Darbhanga in Bahadurpur PS Case No. 251 of 2019 subject to the following conditions:- (I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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