

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76955 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- HASANPUR District- Samastipur

MANOJ PASWAN Son of Rajendra Paswan Resident of Village- Virpur, P.S.-
Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhubneshwar Prasad

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hasanpur P.S. Case no. 163 of 2018, registered under
Section 37(A) and 37(B) of the Bihar Prohibition and Excise
Act, 2016.

The accusation is that in course of patrolling duty,
two persons were seen in suspicious condition. On seeing the
Police party, they started fleeing, but on chase, they were
apprehended, who disclosed their names Mukesh Choudhary
and Ram Lakhana Sharma, the smell of liquor was coming from
their mouth. On query, they disclosed that they had purchased
the liquor from the petitioner Manoj Paswan.

Learned counsel for the petitioner submits that it



would appear from the F.I.R. that petitioner was not apprehended on the spot and no incriminating articles recovered from the house of petitioner. The petitioner has falsely been implicated in this case by the informant, showing his name in the confessional statement of co-accused, who were caught hold after taking liquor. The petitioner is accused in Hasanpur P.S. Case No. 160 of 2017 in which he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Hasanpur P.S. Case No. 163 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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