

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2089 of 2019

Arising out of PS. Case No.-396 Year-2018 Thana- DHAKA District- East Champaran

Rikhdev Paswan @ Rikhdeo Paswan, son of Nathuni Paswan, Resident of village-Semra, P.S. Dhaka, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Dhaka P.S. Case No. 396 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Excise & Prohibition Amended Act, 2016.

The case of the prosecution in brief is that the Police upon information had reached the alleged place of occurrence upon being informed that two persons on motorcycle were carrying illicit Nepali Soufi liquor and they were coming through Bairganiya Road. The Police party is stated to have then reached at Islam Chowk, Dhaka and saw that the two persons on motorcycle were trying to flee away, however, they were caught and they disclosed their name as Mukesh Mahto and Hasre Alam. Thereafter, the motorcycle was seized and upon search illicit liquor was recovered from the dickey of the motorcycle. Subsequently, the Police received information from the villagers that illicit liquor was kept at the house of the



petitioner herein and when the Police had reached at the house of the petitioner and conducted search, 108 bottles of 300 ml. each of Nepali liquor was recovered and thereafter the petitioner was arrested.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 01.10.2018. Lastly, it is submitted that no recovery has been made from the conscious possession of the petitioner.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Motihari at East Champaran in connection with Dhaka P.S. Case No. 396 of 2018.

(Mohit Kumar Shah, J)

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