

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4219 of 2020

Arising Out of PS. Case No.-234 Year-2019 Thana- MANIYARI District- Muzaffarpur

Ram Kishun Paswan S/o Jagdeo Paswan R/o village- Mohammadpur
Mobarak Tola Bathinda Pokhar, Ward No. 12, P.S.- Maniyari, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Chandna

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Maniyari P.S.
Case No. 234 of 2019 (G.R.No. 1673 of 2019) registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

As per F.I.R., 1182.28 liters of foreign liquor is said to
have recovered from a car, which was parked near the *darwaja*
of co-accused Md. Soaib.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from his conscious possession. It is further submitted
that petitioner has not concern with the seized liquor. Only on
suspicion, petitioner has been made accused in this case.



Mandatory provision under Section 100 Cr.P.C. has not been followed with respect to search and seizure. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Maniyari P.S. Case No. 234 of 2019 (G.R. No. 1673 of 2019), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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