

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17833 of 2020

Arising Out of PS. Case No.-106 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Khushi Paswan Son of Manjan Paswan Resident of Village - Bankat, Bhitaha / Bankat Mathiya, P.S.- Motihari Mufassil, District- East Champaran
 2. Roop Narayan Paswan Son of Gagandeo Paswan Resident of Village - Bankat, Bhitaha / Bankat Mathiya, P.S.- Motihari Mufassil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned

A.P.P for the State.

The petitioners apprehend their arrest in **Muffasil P.S.**
Case No. 106 of 2018, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

8 litres of country made liquor is said to have been
recovered from a field. Local people disclosed the name of these
petitioners, who fled away from the place of recovery.



It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious possession of these petitioners. Recovery has been made from open place which is accessible to all. The provision of section 100 Cr.P.C has not been followed. Petitioner no. 2 has got clean antecedent.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari** in connection with **Muffasil P.S. Case No. 106 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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