

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32665 of 2020

Arising Out of PS. Case No.-202 Year-2020 Thana- RAHUI District- Nalanda

JODHAN PASWAN, Son of Vijay Paswan Resident of Village - Habanpura,
Police Station - Rahui, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-02-2021 Heard Mr. Anil Kumar Singh, learned counsel

for the petitioner and Mr. Amitesh Kumar, learned APP

for the State.

At the outset, learned counsel for the petitioner

seeks permission to make necessary correction in the

prayer portion of the bail petition.

It has also been submitted that correct entry

has been made in paragraph 1 of the bail petition.

In the prayer portion, P. S. Case No. has not

been typed.

The learned counsel for the petitioner is

permitted to make necessary correction in the prayer



portion of the bail petition during the course of the day.

The petitioner seeks bail in anticipation of his arrest in connection with Rahui P. S. Case No. 202 of 2020, dated 17.06.2020, instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

On secret information that the petitioner is carrying huge amount of liquor in his Bolero vehicle, one vehicle was intercepted. From such vehicle, 565.92 litres of liquor was recovered.

The learned counsel for the petitioner has submitted that the vehicle from which recovery has been made does not belong to the petitioner. The petitioner also does not own any Scorpio vehicle as has been alleged in the F.I.R. Thus, there is no recovery of liquor from the constructive or exclusive possession of the petitioner.

The petitioner does not have any criminal antecedents.



Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge cum Special Judge, Excise, Nalanda at Biharsharif, in connection with Rahui P. S. Case No. 202 o 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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