

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1700 of 2021

Arising Out of PS. Case No.-375 Year-2017 Thana- TEKARI District- Gaya

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UPENDRA PASWAN, SON OF BINOD PASWAN, RESIDENT OF
VILLAGE - MALSHARI, P.S. - TEKARI, DISTRICT – GAYA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P

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

ORAL ORDER

2 07-09-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 04.01.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Tekari (Panchanpur) P.S. Case no. 375 of 2017, registered under Section 30(a)(c)(d) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about indulgement of Kush Raut, Munna Yadav, Jataha Yadav, Arvind Yadav, Kanha Raut, Upendra Paswan (Petitioner) etc. in preparing country made liquor in village- Malsari at the bank of river, informant and other Police personnel reached there. In course of search at the bank of



river, wetted Mahua flower kept in 10 drums, ten litres of country made liquor kept in plastic container and apparatus meant for preparing illicit liquor, recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the alleged wetted Mahua flower and ten litres of illicit country made liquor are said to be recovered at the bank of river not from the house of the petitioner. Further submission is that petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent.

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 learned Special Excise Judge, Gaya in connection with Tekari (Panchanpur) P.S. Case No. 375 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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