

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8433 of 2021

Arising Out of PS. Case No.-241 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

GAUTAM PASWAN Son of Jaggulal Paswan Resident of Village- O.T. Para
1000c, P.S. - Muffasil, District - katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr. Khurshid Anwar

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2021 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with S. Kamal P.S. Case No. 241 of
2020 instituted for the offences under Sections 30(a), 32,
41 (I) of the Bihar Prohibition and Excise Act.

It appears that approximately 711 litres of liquor
was recovered from a vehicle. Five persons who were
travelling in the said vehicle were also arrested. The
petitioner is sought to be prosecuted in this case on the basis



of his being the owner of the vehicle in question.

The learned counsel for the petitioner has submitted that he is an employee of the Railways and had given his vehicle for being run on commercial basis to his driver, namely, Meghan Kumar who appears to have played truant. He is also one of the arrested accused persons.

The petitioner does not have criminal antecedents.

In view of the aforesaid fact, it has been urged by Mr. Poddar, the learned Advocate that no offence under the Excise Act can at all be said to have been made out as against the petitioner.

For the reasons afore-stated, 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Excise Act, Begusarai, in connection with S. Kamal P.S. Case No. 241 of 2020, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

