

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54829 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- RAIL JHAJHA District- Jamui

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Kundan Paswan Son of Ram Pravesh Paswan Resident of Village - Sarhan ,
P.S.- Pandarak, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect, if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection
with Rail Jhajha P.S. Case No. 97 of 2022 lodged under Section
30(a) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 6
litre Indian made foreign liquor is the subject matter of the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that the seizure memo indicates that it is a public place
from where the said recovery was made. Counsel further

submits that there is a gross violation of Section 100 of Cr.P.C. in the recovery also. Counsel further submits that there is one case pending against the petitioner in which he is on bail but the said case is not of excise matter. Counsel further submits that petitioner is in custody since 04.07.2022, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-01, Jamui in connection with Rail Jhajha P.S. Case No. 97 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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