

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60862 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Rangeela Paswan, Male, aged about 30 years, son of Phagu Paswan, resident of village- Ugna, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Jagdishpur PS Case No.253 of 2023 dated 21.06.2023, instituted under Sections 30(a) (c), 41 (1)(2)/45 of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 40 and 20 liters respectively *Mahua* wine from the open field (*Badhar*).

4. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner and he has been falsely implicated in this case. Learned counsel further submits that the petitioner has no concern with the alleged seized articles as well as there is no compliance of Section 100 Cr.PC at the time of search and



seizure.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No.1, Bhojpur at Ara, in Jagdishpur PS Case No.253 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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