

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75275 of 2018**

Arising Out of PS. Case No.-249 Year-2018 Thana- NARPATGANJ District- Araria

SUDHIR KUMAR PASWAN @ SUDHIR PASWAN S/o Bikram Paswan,  
Resident of Village- Garhgama, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      19-12-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is apprehending his arrest for the offences punishable under Sections 30(a), 38 (2) of the Bihar Prohibition and Excise Act, 2016.

On allegation of recovery of 15 liters of country made liquor in a green plastic gallon recovered from the petitioner's house he has been implicated in this case. It is submitted by counsel for the petitioner that the petitioner is a labourer working on daily wages and is not aware of such recovery being made from his house and that the recovery is not in accordance with the procedure prescribed under Section 100 Cr.P.C. The petitioner has no criminal antecedent.

In the facts and circumstances of the case, prayer for



anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Session-cum-Spl. Judge, Araria in Spl. Case No. 503 of 2018 arising out of Narpatganj P.S. Case No. 249 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

Prakash/-

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