

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9750 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- VIDYAPATINAGAR District- Samastipur

Bachchu Paswan @ Rampravesh Paswan, Son of Lakhan Paswan, Resident of Village- Rahimpur Pyare, P.S.- Vidyapatinagar (Ghato O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a), 30(b) and 30(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the written report of A.S.I., Mukteshwar Ray, dated 08.09.2018, submitted to the S.H.O., Vidyapati Nagar Police Station is to the effect that on the same day, the informant received a secret information that in the Village Maniyarpur, country made liquor is being manufactured in the house of Chunnu Paswan @ Ramprawesh Paswan (the petitioner) and Dileep Paswan, whereupon a raid was laid and from the house of the petitioner, seven litres of illicit country



made liquor kept in three plastic containers were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house of the petitioner. It is further submitted that though the FIR suggests that recovery has been made from the possession of the petitioner, but the certified copy of the FIR only contains the seizure list with regard to recovery made from co-accused Dileep Paswan. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the petitioner that recovery has been made from the possession of the petitioner.

Considering the fact that recovery has been made from the joint family house of the petitioner and the FIR does not contain any seizure list with regard to the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-III-cum-Special Judge, Excise, Samastipur in connection with



Vidyapati Nagar P.S. Case No. 98 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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