

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51643 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Shyam Sundar Paswan @ Shyam Sunder Paswan, Son of Late Bino Paswan
Resident of Village- Pakari, Ward No.3, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Excise Complaint Case No.114C-2 of 2019 for the offence
punishable under Section 30(a) of the Indian Penal Code.

The allegation against the petitioner, as per the
prosecution report lodged by the Excise Department that on
secret information, the house of one Pappu Paswan was raided
by the Excise Officials along with police personnel and a total
quantity of 362.88 litres of illicit IMFL was recovered from the
house of Pappu Paswan. It has further been stated that in front
of the house of Pappu Paswan, a bolero pick up van was
standing which was also searched by the officials from which



52.56 litres of foreign liquor has also been recovered. The allegation against the petitioner is that petitioner is father of Pappu Paswan and was also one of the person who helps his son in the business of illegal liquor.

Learned counsel for the petitioner submits that petitioner has falsely been implicated merely on the basis of the fact that he is the father of the accused, Pappu Paswan, from whose house the illicit liquor has been recovered by the Excise Official. Learned counsel further submits that petitioner is residing separately from his son and is not at all concerned with the illicit liquor recovered from the house of Pappu Paswan.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that illicit liquor has been recovered from the house of Pappu Paswan and no recovery has been made from the conscious possession of the petitioner or vehicle belonging to the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon



furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II, Begusarai-cum-Special Judge, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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