

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10343 of 2020

Arising Out of PS. Case No.-373 Year-2019 Thana- CHANPATIA District- West Champaran

MUNNA PASWAN Son of Hiranman Paswan Resident of Village - Semara
Parsa, P.S.- Sirisia, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. A. L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application for grant of anticipatory bail arises
out of Chanpatia (Sirisia O.P.) Police Station Case No. 373 of
2019, disclosing offence under Sections 30(a)/30(b) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the
First Information Report, is that the police raided the house of
the petitioner and from a hut beside the house of the petitioner,
05 litres of illicit liquor has been recovered.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case inasmuch the hut, from where illicit liquor has been
recovered, is an open space situated beside the house of the



petitioner which is accessible to all and sundry and no illicit liquor has been recovered from inside the house of the petitioner and/or the premises belonging to the petitioner.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that no illicit liquor has been recovered from inside the house of the petitioner and further the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, at Bettiah, in connection with Chanpatia (Sirisia O.P.) Police Station Case No. 373 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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