

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11866 of 2020

Arising Out of PS. Case No.-381 Year-2019 Thana- GORAU District- Vaishali

Naresh Paswan S/O Mahabir Paswan R/O Vill- Asadpur Maibhara @ Asadpur
Bhaimra, P.S.- Goraul, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Goraul P.S. Case no. 381 of 2019 registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted by the police personnel, 10 litres of country liquor was recovered from the land of one Mahavir Paswan and he was taken into custody. It is stated that the said accused disclosed the name of three persons who had managed to escape, one of them being the petitioner herein.

It is submitted by learned counsel for the petitioner that the allegation of the petitioner being one of the three persons who escaped is false and incorrect. There is no material against the petitioner except the confessional statement of the co-accused made before police. There is no recovery from his



possession and neither the land nor the recovered article belong to him. The petitioner has no criminal antecedent.

The application for bail is opposed by learned Additional PP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner not being arrested at the spot and his having no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Goraul P.S. Case no. 381 of 2019 will be enlarged 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 2nd Additional Sessions Judge cum-Excise Court, Vaishali at Hajipur subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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