

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11903 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- GAYA KOTWALI District- Gaya

Ramji Paswan S/O Poon Paswan R/o Murali Hill Bageshwari, P.S. - Kotwali,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, 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 Kotwali P.S. Case no. 17 of 2020 registered under sections 30(a) and 37(2) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the informant that on catching hold of one of the accused namely, Mahadeo Manjhi who was in a drunk condition, it was disclosed by him that he had purchased the liquor from the house of Suresh Paswan from where the petitioner and one another co-accused were selling a liquor. It is further stated that on reaching the house of Suresh Paswan, the co-accused persons seeing the police personnel managed to hide themselves and a total of 204 litres of country liquor was recovered.

It is submitted by learned counsel for the petitioner that except the confessional statement of a drunk co-accused, there is no other material against him. He was neither arrested at the



spot nor has he any criminal antecedent.

Learned Additional PP for the State has opposed the application for bail.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner was neither arrested at the spot nor has he any 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 Kotwali P.S. Case no. 17 of 2020 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 Special Judge-Excise, Gaya subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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