

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24856 of 2020

Arising Out of PS. Case No.-583 Year-2019 Thana- GAYA KOTWALI District- Gaya

SADHU PASWAN @ RAMANAND KUMAR @ RAMANAND PASWAN
S/o Late Bhola Paswan @ Baleshwar Paswan Resident of Dak Sthan Murli
Hill Bairagi, P.S.-Kotwali, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kumar Praveen
For the Opposite Party/s :	Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner apprehends his arrest in connection
with Kotwali Police Station Case No. 583 of 2019, registered
for the offences punishable under Sections 30 (a)/37(ii) of the
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the house
of the petitioner was raided and the police recovered a total
quantity of 160 litres of illicit country-made Mahua liquor and
240 litres of illicit country-made liquor from the house of the
petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as



the petitioner is the son of one Baleshwar Paswan, but the parentage of the petitioner, in the First Information Report as well as in the seizure list, has been mentioned as Bhola Paswan. He further submits that other co-accused persons have been granted either anticipatory bail or regular bail by the learned Court below and this Court also. He further submits that the place from where illicit liquor has been recovered does not belong to the petitioner.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, in view of the aforesaid, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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