

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86344 of 2019

Arising Out of PS. Case No.-382 Year-2019 Thana- GORAUL District- Vaishali

Lakshman Paswan, Son of Late Ram Uchit Paswan @ Ramudit Paswan
Resident of Village - Khajechand Chhapa, P.S.- Goraul (Khathara O.P.),
District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

28-02-2020

Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Goraul (Kathara O.P.) P.S. Case No.382 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner is that police during the course of patrolling got a secret information that some person were bringing wine on a motorcycle, proceeded towards place of occurrence and upon seeing the police party the person coming on the motorcycle left the motorcycle and flee away and on search the police recovered 15 litres of illicit liquor from the motorcycle. The person assembled their disclosed the name of the petitioner as owner of the motorcycle.

Mr. Himanshu Ranjan, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated on



the basis of disclosure of his name made by co-villager. Learned counsel referring to para 6 of the bail application submits that petitioner is not the owner of the seized motorcycle bearing Registration NoBR31V-948. Learned counsel thus submits that no illicit liquor has been recovered from his conscious possession or the vehicle belonging to the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is not owner of the motorcycle from which the illicit liquor has been recovered, I am inclined to grant anticipatory bail to the 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 Addl. Sessions Judge-II, Vaishali at Hajipur, in connection with Goraul (Kathara O.P.) P.S. Case No.382 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

