

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32605 of 2020

Arising Out of PS. Case No.-184 Year-2020 Thana- HASANPUR District- Samastipur

MANOJ PASWAN Son of Rajendra Paswan Resident of Village- Birpur, P.S.-
Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-02-2021 Heard Sarbottam Kumar Sarkar, learned
counsel for the petitioner and Mr. Ram Priya Sharan
Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Hasanpur P.S. Case No. 184 of
2020 dated 17.08.2020 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise act,
2016.

Learned counsel for the petitioner has
submitted that the recovery is not from the petitioner's
house; rather from someone else's house and he has
been made accused in this case because of some dispute
with the local police as he runs a tea vending shop in
front of the concerned police station.

However, this Court is not inclined to grant



anticipatory bail to the petitioner for the reason that he was earlier made accused in two other cases of similar nature.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail it shall be taken into account that there has not been any recovery from his exclusive or constructive possession and that the possibility of his false implication by the local police cannot be ruled out and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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