

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54143 of 2021

Arising Out of PS. Case No.-327 Year-2021 Thana- GAYA KOTWALI District- Gaya

1. P.N PASWAN @ PERMANAND PASWAN Son of Sadhu Paswan @ Ramanand Paswan Resident of Murli Hill Bairagi, P.S. - Kotwali, District - Gaya.
2. Akash Kumar Son of Sadhu Paswan @ Ramanand Paswan Resident of Murli Hill Bairagi, P.S. - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Special Excise case No.1284/21 arising out of Kotwali P.S. case No.327/2021 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 128.675 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The



petitioners have falsely been implicated in this case. It is alleged that 128.675 liters wine is recovered from the premises, which was taken on rent by the joint family of the petitioners. Hence, the petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Gaya in connection with Special Excise case No.1284/21 arising out of Kotwali P.S. case No.327/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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