

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23015 of 2021**

Arising Out of PS. Case No.-36 Year-2020 Thana- LAKHNAUR District- Madhubani

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Jitendra Paswan Son Of Upendra Paswan Resident Of Village- Godhanpur
Sukhet, P.S.- Jahanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 272, 273 of the Indian Penal Code and

Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 25 litres of illicit country

made liquor from a motorcycle.

It is submitted by learned counsel for the

petitioner that petitioner was not apprehended from the



spot. Nothing has been recovered from the conscious possession of the petitioner. The seized motorcycle does not belong to the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that paragraph 26 of the case diary suggests that this vehicle was sold by his actual owner Zabir Pamaria to this petitioner.

Considering the fact that petitioner is not the registered owner of the vehicle in question, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise Court, Madhubani in



connection with Lakhnaur P.S. Case No. 36 of 2020,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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