

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13163 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- ROSERA District- Samastipur

CHANDAN PASWAN @ CHANDAN KUMAR PASWAN SON OF
BHIKHAN PASWAN @ JAIRAM PASWAN @ HARE RAM PASWAN R/O
VILLAGE- PURANI BHIRA WRD NO.-11, P.S.- ROSERA, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 8.64 litre of liquor from petitioner's cowshed and 315.33 litre of liquor from the house of co-accused Radheshyam Paswan.

Learned counsel for the petitioner submits that the



petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that alleged recovery is from the cowshed of the petitioner which is situated outside the house of the petitioner and is accessible to villagers and local people at large and as such it cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the cowshed, it is next submitted that the alleged recovery also was from a place which does not belong to the petitioner and he came to be implicated merely at the instance of local people as the seizure list does not even remotely suggest that the place from where the alleged liquor was also seized in terms of Section 62 of the Excise Act.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the



case is pending/successor court in connection with Rosera P.S.
Case No. 152 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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