

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24131 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- MAJHAULIA District- West Champaran

MAHAVEER PASWAN Son of Late Dhuri Paswan Resident of Village -
Ramnagar, Bankat, P.S.- Majhgaulia, Distt.- West Champaran. ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Majhaulia P.S. Case no. 34 of 2021 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

The prosecution case relates to recovery of 2.5 litres
illicit liquor from backside of the shop of the petitioner.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The alleged recovery has not been from the shop of the petitioner rather the same has been recovered from an open area which is easily accessible to any one. Petitioner has no concern with the alleged recovery.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Majhauria P.S. Case no. 34 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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