

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20211 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- KANTI District- Muzaffarpur

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SURAJ PASWAN @ SAROJ PASWAN Son of Baidhnath Paswan Resident
of Village - Sain Brijlal Patti, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Rai, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 11-07-2022 Heard the parties.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Excise and Prohibition Act, 2016-2018.

Altogether 66.600 litres of english wine is said to have been recovered from the rag house of Dhauul Das Math, west of temple.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. The place where the liquor has been recovered does not belongs to the petitioner nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized



liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, as no liquor has been recovered from the petitioner's possession, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kanti P.S. Case No.03 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00/- (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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