

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35475 of 2022

Arising Out of PS. Case No.-200 Year-2022 Thana- SITAMARHI District- Sitamarhi

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Arun Kumar @ Arun Paswan Son of - Sattan Paswan Resident of Village -
Bariyarpur, Ward no. 4, P.S. - Sitamarhi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jawed Gaffar Khan

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sitamarhi P.S. Case no. 200 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition of Excise
Act.

Prosecution case relates to recovery of total 349.50
litres illicit Nepali liquor from bamboo clamp which is situated
behind Kishan College.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case on the basis
of mere suspicion. He has got no criminal antecedent. Petitioner
has no concern with the alleged recovery or with the place of



occurrence. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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 Sitamarhi P.S. Case no. 200 of 2022 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 Excise Court-II, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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