

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35450 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- BATHNAHA District- Sitamarhi

1. Shivji Paswan Son of Ratneshwar Paswan Resident of Village - Dighi, P.S.- Bathnaha, District - Sitamarhi
2. Mohar Lal Paswan Son of Sitaram Paswan Resident of Village - Dighi, P.S.- Bathnaha, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bathnaha P.S. Case no. 223 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 15 liters illicit liquor from the side of road and on seeing the police party three accused persons succeeded in fleeing away, who were disclosed by the villagers.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. Petitioners have no concern with the alleged recovery and the place of occurrence. They have falsely been implicated in this case on the basis of mere suspicion. Neither the petitioners were arrested nor any incriminating article has been recovered from their conscious possession.

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

Having heard learned counsel for the parties and considering the fact that the recovery of meagre quantity, this Court is inclined to enlarge the petitioners on bail. The petitioners are 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 Bathnaha P.S. Case no. 223 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 Exclusive Special Excise Court No.1, Sitamarhi, District - Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

amandeep/-

U			
---	--	--	--

