

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35733 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- RAFIGANJ District- Aurangabad

1. GAUTAM PASWAN @ GAUTAM KUMAR PASWAN SON OF SURENDRA PASWAN R/O VILLAGE- KONA TIKRI, P.S.- RAFIGANJ, DISTRICT- AURANGABAD
 2. PANKAJ PASWAN @ PANKAJ KUMAR SON OF SURENDRA PASWAN R/O VILLAGE- KONA TIKRI, P.S.- RAFIGANJ, DISTRICT- AURANGABAD
 3. SURENDRA PASWAN SON OF LATE RAM PRASAD PASWAN R/O VILLAGE- KONA TIKRI, P.S.- RAFIGANJ, DISTRICT- AURANGABAD
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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 petitioners apprehending their arrest in connection with Rafiganj P.S. Case no. 205 of 2022 instituted for the offence under Section 30(A) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 10 litres mahua liquor kept in two galleons from the roof of the house of the petitioner.

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



no offence. For one offence, all male family members are made accused in the present case. Petitioner nos. 1 and 2 are son of petitioner no. 3. They have got no criminal antecedent. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

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

Having heard learned counsel for the parties and considering the recovery of meagre quantity of liquor, 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 their arrest or surrender in connection with Rafiganj P.S. Case no. 205 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) 1st, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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