

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40613 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

Uma Paswan @ Umanand Paswan S/O Late Kapildev Paswan R/O Village-
Kakrachak, P.S.- Bochahan, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-12-2022 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 Bochahan P.S. Case no. 21 of 2022 instituted for the
offence under Sections 272, 273 of Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total total
343.6 liters illicit liquor of different brands from a Bolero
vehicle bearing Registration No. BR33J-7440.

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. He has falsely been
made accused in this case. Petitioner has no concern with the
alleged recovery of illicit liquor. It is further submitted that



petitioner was neither the driver nor the owner of the vehicle in question from where the recovery has been made. The name of the petitioner is transpired in this case on the basis of secret information. It is further submitted that neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious or constrictive possessions.

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 Bochahan P.S. Case no. 21 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 Exclusive Special Excise Court No.1, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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