

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45848 of 2022

Arising Out of PS. Case No.-199 Year-2022 Thana- PATORI District- Samastipur

PAPPU PASWAN Son of Pavitra Paswan R/v- Amdipur ward no. 10, PO and
PS- Patori, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in connection with Patori
P.S. Case No.199 of 2022, registered for the offence punishable
u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

Altogether 3 litres of country made liquor is said to have
been recovered from the hut of petitioner. It is alleged that on
seeing the police, petitioner and others fled away from the spot.

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. His name transpired in this case
only on suspicion. Petitioner has neither been apprehended on



the spot 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. The said hut belongs to one Fuleshwari Devi and petitioner has no concern with the same. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the hut of petitioner as is evident from the FIR itself, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

Accordingly, this application is allowed.

(Anjani Kumar Sharan, J)

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