

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57516 of 2021**

Arising Out of PS. Case No.-69 Year-2021 Thana- ROSHANGANJ District- Gaya

RANJEET PASWAN Son of Birendra Paswan Resident of Village- Bechu
Bigha, P.S.- Bankey Bazar, District- Gaya, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 13.140 litre of liquor and 7.50 litre of beer from the first floor of the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and admittedly the petitioner was not apprehended from the spot and, as such, nothing was recovered from the conscious possession of the petitioner. Learned counsel further submits that house is a joint family property, as such, it cannot be alleged that it was the petitioner who had kept the liquor in the house. It is next



submitted that none of the family member of the petitioner have been made an accused in this case that in itself demonstrates and creates suspicion about the place of occurrence from where the recovery is alleged to have been made.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Raushanganj P.S. Case No. 69 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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