

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47750 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- PIPRA District- East Champaran

=====

BABULAL PASWAN SON OF LATE YOGENDRA PASWAN R/O
VILLAGE- BARWA TIWARI TOLA, P.S.- PIPRA, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 48074 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- PIPRA District- East Champaran

=====

YADU PASWAN S/O LATE YOGENDRA PASWAN Resident of village-
Barwa Tiwari Tola, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47750 of 2022)

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

(In CRIMINAL MISCELLANEOUS No. 48074 of 2022)

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mrs. Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2022 Heard the parties through virtual court proceedings.

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

Petitioners apprehend their arrest in connection with a
case registered for the offence punishable u/s 272, 273 of the
Indian Penal Code and 30(a) of the Bihar Prohibition and Excise



Act.

Altogether 10 litres of country made liquor is said to have been recovered from the motorcycle kept in the house of the petitioner and 40 litres of spirit was also recovered from his house.

Learned counsel for the petitioners submit that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Petitioner Yadu Paswan has been made accused in the present case only because he is the brother of petitioner Babulal Paswan as both of them resides together in the house from where the recovery has been made. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. Petitioner Babulal Paswan has two criminal antecedent and petitioner Yadu Paswan has no criminal antecedent, as also mentioned in para-3 of the bail applications.

Learned APP opposed the prayer for grant of anticipatory bail.

Having regards to the facts and circumstances of the case,



since the recovery has been made from the house of the petitioners, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, both these applications are dismissed.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

