

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60695 of 2021

Arising Out of PS. Case No.-220 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. NIRANJAN PASWAN Son of Dharmendra Paswan Resident of Village- Chako Chapra, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.
2. Kundan Bhagat Son of Baijnath Bhagat Resident of Village- Chako Chapra, P.S.- Saraiya (Jaitpur O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2022 At the very outset, it is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no.2, namely, Kundan Bhagat has been arrested, hence, he seeks permission to withdraw this application.

In view of aforesaid submissions, this application is dismissed as withdrawn against petitioner no.2, namely, Kundan Bhagat.

So far as petitioner no.1, namely, Niranjana Paswan is concerned, learned counsel for the petitioner is pressing this application against him.

Heard learned counsel for the petitioner no.1 and learned APP for the State.



The petitioner no.1 is apprehending his arrest in a case registered for the offences punishable under Sections 272, and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of about 1088.640 liters of English wine from the pick-up van.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no recovery of liquor from the conscious or constructive possession of the petitioner. He further submits that the seized pickup van has no concern with the petitioner. Petitioner has clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner no.1, namely, Niranjana Paswan in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 220 of 2021, subject to the conditions as laid



down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

U			
---	--	--	--

