

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23323 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- SAHPUR District- Patna

ASHARFI PASWAN S/o Chhote Lal Paswan R/o village- Shahpur, P.S.-
Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Shahpur P.S. Case no. 342 of 2020 instituted for the
offence punishable under Sections 30(a) of the Bihar Prohibition
an Excise Act, 2016.

As per allegation in the FIR, acting on a tip off,
recovery of **sixty litres IMFL** has been made from a tempo



bearing Registration No. BR01PK-5815.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner is a habitual offender of excise case.

Having heard learned counsel for the parties and taking into consideration that petitioner is registered owner of the alleged vehicle, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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