

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67656 of 2021**

Arising Out of PS. Case No.-115 Year-2021 Thana- RAHIKA District- Madhubani

1. DEEPAK KUMAR PASWAN @ DEEPAK PASWAN S/o Chattu Paswan R/o Village- Kharaua P.S. - Rahika, District - Madhubani.
2. Chattu Paswan S/o Dorik Paswan R/o Village- Kharaua P.S. - Rahika, District - Madhubani.
3. Urmila Devi W/o Deepak Kumar Paswan @ Deepak Paswan R/o Village- Kharaua P.S. - Rahika, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

4 04-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 3335.820 litre of liquor when the joint house of Deepak Paswan, Sahdeo Paswan and Nathuni Paswan was searched.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession. It is next submitted



that the house from where the alleged liquor was recovered belongs to Sahdeo Paswan.

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

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners were not apprehended from the spot, they are persons with clean antecedent and it has been specifically stated in Paragraph '6' of the anticipatory bail application that the petitioners' house is situated in Ward no. 38 while the house of Sahdeo Paswan, which is alleged to have been searched resulting in recovery of illicit liquor, is situated in ward no. 40 of the village, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Rahika P.S. Case No. 115 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Shivam/-

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