

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.722 of 2022

Arising Out of PS. Case No.-635 Year-2021 Thana- FATUHA District- Patna

Etendra @ Etendra Kumar, S/o Rajendra Paswan @ Rajender Kamal Paswan,
R/o Village- Bankiur Gorakh, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan Prasad, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner is apprehending his arrest in Fatuha P.S. Case No. 635 of 2021 (Special Case No. 5251 of 2021) registered for the offences punishable under Sections 30(a) and 56(c) of the Bihar Prohibition and Excise Act.

On a secret information police raided a hut near R.O.B. Fatuha and seized total 81.5 litres of illegal country made wine and beer from the hut. Three accused persons have been arrested and two accused persons including petitioner fled away.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics. The recovery of illegal liquor was made from a hut and



the petitioner was not present and has no concern with the said hut or recovered liquor or with the co-accused persons. Petitioner was never involved in any case related to Excise Act. Nothing has been recovered from the conscious possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail application of the petitioner.

Having heard learned counsel for the parties and considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Fatuha P.S. Case No. 635 of 2021 vide Special Case No. 5251 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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