

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67445 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- RAJNAGAR District- Madhubani

1. Rudal Paswan @ Ranjit Paswan S/O Bideshi Paswan Resident of village- Kaithahi Goshai Bhumi P.S.- Rajnagar, District- Madhubani.
2. Raju Kumar Paswan @ Raj Kumar Paswan @ Raju Paswan S/O Bhulla Paswan Resident of village- Kaithahi Goshai Bhumi P.S.- Rajnagar, District- Madhubani.
3. Pramod Paswan S/O Late Bhukhan Paswan Resident of village- Kaithahi Goshai Bhumi P.S.- Rajnagar, District- Madhubani.
4. Tapan Paswan S/O Kapileshwar Paswan Resident of village- Kaithahi Goshai Bhumi P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The instant application for anticipatory bail has

been filed by the petitioners apprehending their arrest in

connection with Rajnagar P.S. Case no. 222 of 2022

instituted for the offence under Sections 272, 273 of

Indian Penal Code and Section 30(a) of the Bihar

Prohibition and Excise Act.

Prosecution case relates to recovery of 5 litres



of country made liquor from behind the house of petitioner No. 1, 5 litres of country made liquor from south side of the house of petitioner No. 2, 3 litres of country made liquor from behind the house of petitioner No. 3, 3 litres of country made liquor from in-front of the house of petitioner No. 4.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. They have no concern either with the alleged recovery or with the place of occurrence. The place of seizure is open place and surrounded by the house of many people and any person can hide the same to implicate the petitioners. Neither the petitioner was arrested nor any incriminating article has been recovered from their possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties



and considering the fact the meagre quantity of liquor has been recovered, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Rajnagar P.S. Case no. 222 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd Cum Special Judge, Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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