

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27395 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- SOHSARAI District- Nalanda

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PRAHALAD PASWAN @ PAHLAD PASWAN S/O RAM UCHIT PASWAN
Resident of Village- Sohdi Mahuatar, P.S.- Sohsarai, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that petitioner has antecedent of six cases.

Allegation is of recovery of 93 litres of liquor from the house of Manish Kumar.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the confessional statement of Manish Kumar in police custody which does not have any evidentiary value in the eye of law. It is next submitted



that the alleged recovery is from a place which does not belong to the petitioner and petitioner because of his antecedent got falsely implicated by the police through Manish Kumar.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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.30,000/- (Rupees Thirty Thousand) 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 Sohsarai P.S. Case No. 74 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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