

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26625 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

1. PAPPU PASWAN @ PAPPU KUMAR PASWAN SON OF LATE NAGO PASWAN R/O VILLAGE- MEHARPAR, P.S.- LAHERI, DISTRICT- NALANDA
2. AMARJEET PASWAN @ BANTI SON OF PAPPU PASWAN R/O VILLAGE- MEHARPAR, P.S.- LAHERI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Nayan

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 petitioner No. 1 has antecedent of one case and petitioner No. 2 is a person with clean antecedent and allegation is of recovery of 12.675 liters of liquor from the house of petitioner No. 1.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that the petitioners are father and son and the house in question is a joint family property, as such, it cannot be alleged



with certainty that it was the petitioners who had kept the liquor in the house or the liquor kept in the house was within their knowledge. It is also submitted that since the petitioner No. 1 has antecedent of one case, as such, he was implicated along with petitioner No. 2 in a mechanical manner.

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, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laheri P.S. Case No. 145 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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