

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31368 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- NTPC KHAIRA District- Aurangabad

RAJESH PASWAN @ RAJESH RAM son of Sri Kauleshwar Paswan @
Bhund Paswan Resident of Village- Ankoraha, P.S. N.T.P.C. Khaira, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 11.6 liters of liquor recovered from a place near a
canal behind the house of Yogesh.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted even alleged recovery is from a place which is



accessible to public at large and does not belong to the petitioner and he came to be implicated at the instance of local villagers, but then the FIR does not record the names of the villagers who disclosed the name of the petitioner which creates doubt with regard to the veracity of the allegations as alleged in the FIR, when admittedly petitioner is a person with clean antecedent.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khaira P.S. Case No. 44 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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