

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39910 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- TILAUTHU District- Rohtas

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Bikram Paswan @ Vikram Paswan, (male) aged about 40 years, S/o Late
Preman Paswan, Resident of Village- Uttarpatti Tilauthu, P.S- Tilauthu,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Nawal Kishor Singh, learned counsel

appearing on behalf of the petitioner and Mr. Syed Mojibur

Rahman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Tilauthu P.S. Case No. 66 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 4.2 litres of country-
made liquor hidden under the garbage in front of the dwelling
house of the petitioner



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not involved in any manner in sale or manufacturing of the illicit liquor. Nothing has been recovered from the possession of the petitioner. One more criminal antecedent against the petitioner under Excise Act in which he is on anticipatory bail. On these grounds, petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR and quantity of liquor recovered as well as nothing has been recovered from the possession of the petitioner and one criminal antecedent against the petitioner under Excise Act in which he is already on anticipatory bail. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2-



cum-Additional District and Sessions Judge, Rohtas at Sasaram
in connection with Tilauthu P.S. Case No. 66 of 2023, subject to
the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/-

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