

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44174 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- ROHTAS District- Rohtas

1. VISHAL PASWAN @ PRITAM KUMAR S/O BINOD PASWAN R/O Village- Bajitpur, P.S- Rohtas, Distt.- Rohtas at Sasaram.
2. Vikash Kumar S/O Binod Paswan R/O Village- Bajitpur, P.S- Rohtas, Distt.- Rohtas at Sasaram.
3. Sita Devi W/O Binod Paswan R/O Village- Bajitpur, P.S- Rohtas, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act, 2018.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 3 is a woman.
4. Allegation is of recovery of 19 litres of liquor from the asbestos house and 20 litres of liquor from the Pucca house of Vinod Paswan.
5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that petitioners came to be implicated at the instance of Chawkidar with whom they are on an inimical term. It is next submitted that since the petitioners are related to Vinod Paswan as such they were named by the Chawkidar. It is also submitted that the alleged recovery is from 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 when admittedly petitioners are persons with clean antecedent.

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

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) each 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 Rohtas P.S. Case No. 117 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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