

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46044 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- SARAIYA District- Muzaffarpur

MANISH PASWAN SON OF SUSANT PASWAN RESIDENT OF VIL-
LAGE - SOHAI, PS- VAISHALI, DISTT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/s: Mr.Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with Saraiya P.S. Case No. 257 of 2023 dated 5.5.2023 registered for the offence punishable under Sections 30(a), 32(ii) (iii), 36, and 41(i) of the Bihar Prohibition & Excise Act.

3. Police got a secret information that the petitioner along with other accused persons have stored the illicit liquor in the ply mill of co-accused Sanjay Rai for the purpose of sale, arrived at the place of occurrence and upon seeing the Police party, the accused persons assembled there started fleeing away and succeeded in the same. The local chowkidar has identified the ply mill owner Sanjay Rai and



recovered a total quantity of 1086 litres of liquor from the ply mill of Sanjay Rai.

4. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has been made accused on the basis of secret information received by the Police. The illicit liquor has not been recovered from the premises belonging to the petitioner and co-accused Rakesh Paswan has been granted anticipatory bail in Cr. Misc. 45519 of 2023 by a co-ordinate Bench of this Court.

5. Regards being had to the submission made by the parties and taking into consideration the fact that the illicit liquor has not been recovered from premises of the petitioner, the petitioner has got no criminal antecedent and other co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. II, Muzaffarpur, in connection with Saraiya P.S. Case No. 257 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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