

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51175 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- SIMRI District- Darbhanga

Narayan Paswan @ Ram Narayan Paswan Son Of Ravindra Paswan @
Rajendra Paswan, Resident Of Village- Banauli, Ps- Simri, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Simri P.S. Case No. 89 of 2023 registered for the offences
punishable under Sections 30(a) and 30(c) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of four litres of liquor from the courtyard of the house
of Kamlesh Paswan and four litres of liquor from the hut of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be



implicated at the instance of *Chowkidar* with whom he is on an inimical term and the name of the villagers is not disclosed in the FIR who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution, it is further submitted that the police in a mechanical manner implicated the petitioner when the hut does not belong to the petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 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) 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 Simri P.S. Case No. 89 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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