

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51263 of 2023

Arising Out of PS. Case No.-218 Year-2023 Thana- SIMRI District- Buxar

VIJAY PASWAN Son of Late Ramayan Paswan Resident of village - Balihar,
P.S. - Simari, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, 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. 218 of 2023 registered for the offences
punishable under Sections 30(a) and 30(d) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 15 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 based on confessional statement of Munna Ram in
police custody which does not have any evidentiary value, it is



further submitted that had the recovery been made from the hut of the petitioner then the petitioner would have been implicated in the present case by name but his name transpired based on the confessional statement of Munna Ram which amply demonstrates that the alleged recovery was not from the hut of 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. 10,000/- (Rupees Ten 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. 218 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

