

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51443 of 2023

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

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DIPU PASWAN SON OF AMAVASH PASWAN R/O VILL. BALIHAR, PS-
SIMARI, DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30 (a), 30 (d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner has criminal antecedent of one case and allegation is of recovery of 15 liters of liquor from a hut situated near the house of Vijay Paswan.

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 evidentiary value, it is



further submitted that even alleged recovery is from a place which is accessible to a public at large.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 2, Buxar, where the case is pending/successor court in connection with Simari 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)

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