

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54867 of 2023

Arising Out of PS. Case No.-132 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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BIPIN PASWAN, age 40 years, Gender, Male, S/O KESHO PASWAN
RESIDENT OF VILLAGE- MAJHIYAM PASWAN TOLA PS- SADAR,
DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, App

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sadar P.S. Case No. 132 of 2023 dated 23.02.2023
registered for the offence(s) punishable under Section(s) 30(a)
of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the seizure memo regarding
the alleged recovery of wine is completely suspicious as there is
no signature of any of the family members of the petitioner and
the alleged wine is stated to have been recovered from the
house of this petitioner but in fact the same was recovered from
the *Dalan* of the petitioner which is accessible to anyone and



petitioner has fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the FIR and seizure memo. As per allegation, 31.995 litres of foreign liquor was recovered from the house of this petitioner and against him investigation is pending and his role in the alleged crime is yet to be investigated and moreover, his prayer for anticipatory bail is barred by Section 76(2) of the Bihar Prohibition and Excise Act. Considering the nature of the allegation appearing against the petitioner, in my view petitioner does not deserve to the privilege of anticipatory bail. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

Sanjay/-

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