

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53888 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- BARHARA District- Bhojpur

SATISH PASWAN SON OF MAHATAM PASWAN RESIDENT OF
VILLAGE - JHOKHIPUR, P.S. - KRISHNAGARH O.P. (BARHARA),
DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 10 liters of liquor from a plastic sack found near a graveyard at village Jhokhipur.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated at the instance of *Chowkidar* with



whom he is on an inimical term, it is next submitted that in maximum cases the police is implicating the accused persons at the instance of *Chowkidar* in a mechanical manner. It is also submitted that even the alleged recovery is from a place which is accessible to public at large.

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 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barahara (Krishnagarh O.P.) P.S. Case No. 419 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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