

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56553 of 2023

Arising Out of PS. Case No.-162 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Mithilesh Paswan @ Mithlesh Paswan aged about 39 years (male) S/O
Vindeshwar Paswan, Residence of vill/ Mohalla- Paroria, P.S- Warisnagar,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv

For the Opposite Party/s : Mr.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Excise P.S.Case No. 162 of 2023 instituted
under Section 30(a), 30C of Bihar Prohibition & Excise
Act.

3. As per the prosecution case, total 20 liters
country made Chulai liquor was recovered from Bharna
field from where wife of the petitioner was apprehended
and it was disclosed that the petitioner has fled away from
the place of occurrence.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He submits that recovered chulai liquor does not belongs to the petitioner and it was recovered from an open field. There is no recovery from the conscious possession of the petitioner. Petitioner has fair antecedent. The allegation against the petitioner is general in nature.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned 2nd Special Judge Excise, Samastipur in connection with Excise P.S.Case No. 162 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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