

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56623 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Uday Kumar Paswan @ Udy Kumar Paswan S/O Dashrath Paswan R/O
Village- Mahashi, P.S- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rupa Kumari

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 30-08-2023 Heard Ld. counsel for the petitioner and Ld. Counsel
for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Daudnagar Excise P.S. Case No. 77 of 2023,
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

3. As per allegation, 30 liters of liquor has been
recovered from a motorcycle and the motorcycle is said to have
been driven by the Petitioner.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. He further submits that the Police demanded illegal gratification from the Petitioner and on account of non-fulfillment of the same, the Petitioner has been roped in, in the present false case.

5. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail and submits that the petitioner is the owner of the alleged vehicle from which, illicit liquor has been recovered. He was also allegedly driving the vehicle. Hence, prima facie case under the Bihar Prohibition and Excise Act is made out against him and the anticipatory bail petition is not maintainable.

6. Considering the aforesaid facts and circumstances, prima facie, case under the Bihar Prohibition and Excise Act is made out against the petitioner. Hence, the present anticipatory bail application is not maintainable.

7. Accordingly, the present anticipatory bail application is dismissed as not maintainable.

(Jitendra Kumar, J)

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