

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59603 of 2023

Arising Out of PS. Case No.-19 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Suresh Paswan, aged about 45 years (Male), Son of Sri Shyam Paswan @ Chandar Paswan, Resident of Village - Ramsalla, P.S. - Sadar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the State : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 19 of 2011 instituted under Sections 47(a) & (f) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 50 litres country made liquor and 200 Kg. jawa gurrh were recovered from the joint house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the alleged case was registered on 17.03.2011 and the petitioner had no knowledge about the said case. There is no recovery from the conscious possession of the



petitioner. The petitioner has no concern with the said recovery and is also suffering from Neuro problem for which treatment is going on. The petitioner has no criminal antecedent.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of 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 each to the satisfaction of the learned Exclusive Special Judge-1st, (Excise Act), Darbhanga in Excise P.S. Case No. 19 of 2011, 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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