

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59192 of 2023

Arising Out of PS. Case No.-248 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Shambhu Paswan S/O Keshwar Paswan Resident Of Village-Barahgama, P.S-
Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-09-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The Petitioner is apprehending his arrest in a case in
connection with Excise Case No. 248 of 2023 dated 26.03.2023
registered for the offences punishable u/ss 30(a), (d), (e) of the
Bihar Prohibition and Excise Act.

4. As per the prosecution case, 12 litres of illicit
liquor, 224 pieces of empty bottles, 392 pieces of wrappers and
12 litres of spirit along with other articles were recovered from a
hut of Gurudev Paswan who was apprehended and he disclosed
the name of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Excise Case No. 248 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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