

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61603 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- RUDRAPUR District- Madhubani

Mushharu Paswan @ Musharu Paswan Son of Sutai Paswan Resident Of
Village- Karnpur, PS- Rudrapur, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Jitendra Kumar Bharti, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rudrapur P.S.Case No.58 of 2023, giving rise to GR
No.302 of 2023, registered for the offences punishable under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2018.

3. Prosecution story is that total 18.900 ltrs. of nepali
liquor was recovered from behind the house of the petitioner.
Petitioner fled away from the place of occurrence.

4. The learned counsel appearing on behalf of the
petitioner submits that the petitioner has no concern with
alleged recovery and he has been made accused only due to



village politics. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties and the allegation made in the FIR of recovery of 18.900 ltr. of nepali liquor, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Rudrapur P.S.Case No.58 of 2023, giving rise to G.R.No.302 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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