

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65547 of 2023

Arising Out of PS. Case No.-192 Year-2023 Thana- BABUBARHI District- Madhubani

UMIDI PASWAN @ UMEDI PASWAN S/O JHARILAL PASWAN R/O
VILLAGE- BOUSI, PS. BABUBARHI, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 08-12-2023 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Babubarhi P.S. Case No. 192 of 2023, corresponding to G.R. No. 962 of 2023, dated 19.06.2023, registered under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. It is submitted by the learned Advocate for the petitioner that the petitioner has been falsely implicated in this case, as 18 liters illicit liquor was found from his house. It is contended that at the time of raid, the petitioner was not in his house. He has his shop about 22 Km. away from his house. From the C.C.T.V. footage, it would be clear that he was in his house at the time of raid. He does not have any idea about storage of illicit liquor in his house.

4. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.



5. Accordingly, the anticipatory bail application is allowed.

6. Considering the nature of offence and the amount of contraband illegally recovered from the house of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, one of whom must be a local surety having landed property, to the satisfaction of the learned Additional Sessions Judge-II-Cum-Special Judge-Excise Act, Madhubani in connection with Babubarhi P.S. Case No. 192 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that he must comply the conditions, namely, he would not persuade or threaten the witnesses and would be present in the Court below during trial on all dates.

7. Failure on the part of the petitioner to comply with any of the above directions will entail the learned court below to cancel the bail without any further order.

(Bibek Chaudhuri, J)

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