

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65587 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- PAUTHU District- Aurangabad

Bhan Paswan @ Bhanwa Paswan Son Of Gyanchand Paswan Village-
Anchha Ps- Pauthu Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Pauthu P.S. Case No. 94 of 2023 dated 23.07.2023, instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amended) Act 2018.

3. The allegation is of recovery of 27 litres of country made Mahua wine from outside of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the said recovery has been made from an open space which does not belong to the petitioner. Lastly, it has been



submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pauthu P.S. Case No. 94 of 2023, he shall be released on anticipatory 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 Court of Special Judge Excise, Court No- 2, Aurangabad (Bihar), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

