

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68892 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- IMADPUR District- Bhojpur

Samir Paswan @ Sagar Paswan @ Sumir Paswan, S/O- Dhanjee Paswan
Resident Of Rajpur Bihta English Ps Imadpur District Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Imadpur P.S. Case No. 32 of 2023 dated 16.04.2023
registered for the offence(s) punishable under Section(s) 30(a)
and 30(c) of Bihar Prohibition and Excise (Amendment) Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 30 litres of country made *mahua* liquor, the
same is stated to have been recovered from bushes near the
bank of Sone river and the said place is an open place which is
accessible to anyone and the petitioner's name surfaced in the
statement of local *Chaukidar* who claimed to have identified
this petitioner and as per allegation, the petitioner managed to



flee away on seeing the raiding party but the said allegation is completely false and the petitioner has been falsely implicated in the recovery of the alleged liquor on account of village politics and he has got no criminal antecedent and the alleged offences of the Excise Act do not even prima facie attract against the petitioner hence his prayer for anticipatory bail is maintainable.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this court is inclined to accept petitioner's prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Imadpur P.S. Case No. 32 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Rajiv/-

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

