

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72011 of 2023

Arising Out of PS. Case No.-484 Year-2023 Thana- MAHUA District- Vaishali

MAHENDRA PASWAN Son of Late Mahabir Paswan Resident of Village -
Laxmipur, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Opposite Party/s : Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Mahua P.S. Case No. 484 of 2023 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018, pending in the Court of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Vaishali at Hajipur.

3. As per the prosecution case, allegation against the petitioner is of recovery of 7 liter country made liquor from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that it is alleged that the illicit liquor was recovered from the house of the petitioner, but the true fact is that the said house is a joint house, where several other family members also resides. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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