

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72363 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- DHAKA District- East Champaran

Kamlesh Paswan Son Of Opin Paswan Resident Of Village - Vikrampur,
Ward No. 10, P.S. - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Dhaka P.S. Case No. 87 of 2023 dated 01.03.2023 registered for the offences punishable u/s 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 24.300 litres of Nepali liquor was recovered from the wheat field.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner rather the recovery has been made from an open field. It is further submitted that the petitioner has no concern with the



alleged recovery. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari in connection with Dhaka P.S. Case No. 87 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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