

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75082 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Santosh Paswan S/O Rameshwar Paswan R/O Vill/Mohalla- Narhan,
Navtolia, Ward No. 10, Ps. Bibhutipur, Distt. Samastipur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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

ORAL ORDER

2 07-12-2023 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 Bibhutipur P.S. Case No. 272 of 2023 dated 25.07.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 15 litres of country made liquor was recovered from the hut of the co-accused Lalita Devi and 15 litres of country made liquor was also recovered from the hut of the petitioner.

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 and 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 and submitted that the recovery has been made from the hut of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, it is not fit to grant anticipatory bail of the petitioner. Accordingly, the prayer of anticipatory bail of the petitioner is disposed of with direction to the petitioner to surrender before the court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

(Chandra Prakash Singh, J)

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