

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13055 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

Medhu Paswan Son of Basudeo Paswan R/o Village- Semra, P.S.- Muffasil,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32, 41(i) of the Bihar Prohibition and Excise
Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 10 liters of liquor from a place behind the house
of the petitioner and five liters from a place behind the house of
Baleshwar Paswan.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which



does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local people, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, Motihari in connection with Muffasil P.S. Case No.497 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

