

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27907 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- LALGANJ District- Vaishali

Nawmi Paswan @ Naumi Paswan S/o- Late Yogi Paswan R/o- Village-
Madhusudan Pakri, PS- Lalganj, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Lalganj P.S. Case No. 327 of 2023 dated
17.09.2023 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 35 litres of illicit
country made *chulai* liquor was recovered from the Bathan, the
motorcycle and the house of the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has been falsely implicated in
this case. Neither the petitioner was arrested on the spot nor any
incriminating article was recovered from his conscious



possession. The name of the petitioner was disclosed by the local people. Both the seizure list witnesses are the police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner has a clean antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioner by submitting that the recovery has been made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within a period of six weeks from from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

lata/-

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

