

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37799 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- FATEHPUR District- Gaya

Ashok Paswan son of Preman Paswan Village- Mayapur Ps- Fatehpur Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Fatehpur P.S. Case No. 81 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, in short, is that, 350 liters of liquor was recovered from a Car.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged recovery of liquor. No incriminating article has been recovered from the conscious possession of the petitioner. He



submitted that the seized vehicle in question was purchased by the petitioner but till date ownership was not transferred and not handed over to the petitioner. It is next submitted that the petitioner has got no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Fatehpur P.S. Case No. 81 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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