

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43494 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- HATHAURI District- Samastipur

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RAGHUVeer PASWAN SON OF LATE BAHADUR PASWAN
RESIDENT OF VILLAGE - BANDHAR, SHIUPUR, P.S. - HATHAURI,
DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Hathauri P.S. Case No. 194 of 2023 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, informant got secret information that petitioner is engaged in selling the illicit liquor. Thereafter informant along with police team conducted raid and recovered 20 litre illicit liquor from a plastic gallon kept on the road side.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Learned counsel further submits that in the FIR, it has been mentioned that name of petitioner has been surfaced in this case on the basis of confidential information but the source of information has not been disclosed in the FIR. Hence, the authenticity of the FIR is doubtful. Petitioner bears no criminal antecedent. No incriminating article has been recovered from possession of the petitioner. He further submits that place of recovery is open place and same is accessible to all. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge, Excise-1, Samastipur in connection with Hathauri P.S. Case No. 194 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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