

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41176 of 2024**

Arising Out of PS. Case No.-35 Year-2024 Thana- PAUTHU District- Aurangabad

BHAN PASWAN @ BHANAWA PASWAN, SON OF GYANCHAND PASWAN, RESIDENT OF VILLAGE - ANCHHA, P.S. - PAUTHU, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 03-07-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Pauthu P.S. Case No. 35 of 2024 registered for the offences punishable under Sections 30 (a) of the Bihar Excise and Prohibition Amendment Act.

3. Allegation against the petitioner is that he is involved in the illicit business of selling liquor and total 23 liters of country made liquor was recovered from the road.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to one criminal antecedent. The alleged recovery of liquor has been made from the road which is a



public space. Petitioner has no concern with the alleged recovery. Petitioner has one criminal antecedent in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Pauthu P.S. Case No. 35 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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