

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45406 of 2024

Arising Out of PS. Case No.-328 Year-2024 Thana- BIHAR District- Nalanda

Awadhesh Paswan S/o Late Chhote Paswan R/o Village/ Mohalla-kalyanpur,
P.S.-Biharsharif, Distt-Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bihar P.S. Case No.328 of 2024 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total recovery
of 8 litre local wine from an open place near the house of
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that there is no recovery from the
conscious possession of petitioner and he has no concern with
the recovered liquor and the place where the liquor was found is
accessible to the public. Learned counsel submits that except the



suspicion, there is no material against the petitioner. He further submits that petitioner has one criminal antecedent, in which he is on bail and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District & Sessions Judge-V-cum-Special Excise Court, Bihar Sharif, Nalanda in connection with Bihar P.S. Case No.328 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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