

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50588 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- KOTWA District- East Champaran

=====

Sunil Paswan S/O Jhigan Paswan R/O Village- Jasaulipatti, P.S- Kotwa,
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kotwa P.S. Case No. 25 of 2024 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution case in a nutshell is that 32.94 litres of
foreign liquor was recovered from behind the house of the
petitioner.

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



against him and has falsely been implicated in the present case. Petitioner was not arrested on the spot and the name of the petitioner surfaced in this case on the basis of disclosure made by the apprehended co-accused persons. It is submitted by learned counsel for the petitioner that petitioner has no concern with the recovered liquor. Nothing has been recovered from the conscious possession of the petitioner. Even, the recovery is made from an open place, which is accessible to one and all. Petitioner is stated to be man of clean antecedent. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court *vide* orders dated 15-03-2024 & 25-04-2024, passed in Cr. Misc. No. 19787 of 2024 & Cr. Misc. No. 31731 of 2024, respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Kotwa P.S.
Case No. 25 of 2024, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

