

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56194 of 2024

Arising Out of PS. Case No.-342 Year-2024 Thana- RUPASPUR District- Patna

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Anil Paswan Son of Late Godhan Paswan, Resident of Vill- Sabri Nagar,
Rukanpura, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rupaspur P.S. Case No.342 of 2024 instituted under
Section 30(a) of the Bihar Prohibition of Liquor and Excise Act.

3. As per prosecution case, on secret message that the
petitioner is selling illicit liquor, the Police raided the hut of
petitioner from where there is recovery of 65 litres liquor.
However, the petitioner managed to fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the hut from where liquor have
been recovered does not belongs to petitioner. The petitioner
was not arrested from spot, as such, nothing incriminating



article has been recovered from possession of the petitioner. He has four criminal antecedents, in which he is on bail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has four criminal antecedents of similar nature and he is a habitual offender.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties as well as the allegations made against the petitioner and in view of the fact that the petitioner has four criminal antecedents of similar nature, this Court is not inclined to enlarge the petitioner on anticipatory bail, however, petitioner is directed to surrender before the learned trial Court within four weeks from today and seek regular bail and the learned Court below shall decide the same in accordance with law. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Sunil Dutta Mishra, J)

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