

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75953 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- DARIHAT District- Rohtas

Kamlesh Paswan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioner and Mr. Gauri Shankar Gupta, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Darihat P.S. Case No. 77 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the petitioner was having a gunny bag, which he threw the bag in the premises of Amrendra Paswan and from that gunny bag altogether 30 litres of the illegal country made *mahua* was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that nothing has been recovered from the possession



of this petitioner and he was not apprehended at the place of the occurrence.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Darihat P.S. Case No. 77 of 2024, he will be enlarged on 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 Court No. 1, Rohtas at Sasaram subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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