

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79370 of 2024

Arising Out of PS. Case No.-923 Year-2024 Thana- Excise P.S. District- Aurangabad

Ashok Paswan S/O Munna Paswan Resident of village - Bajidpur P.S -
Madanpur, District -Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur,APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Excise P.S. Case no. 923 of 2024 registered under sections 30(a), 32(3), 41(1), 41(2) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 140 litres of country liquor was recovered from the vehicle in question and two persons were taken into custody. It is further stated that on inquiry the persons who were taken into custody disclosed that the liquor was to be delivered to the petitioner herein.

4. Learned counsel for the petitioner submits that from the contents of the F.I.R itself it would be evident that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The petitioner has no concern either with the vehicle in question



from which the liquor was allegedly seized nor with the persons who were taken into custody. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the petitioner not having any concern with the vehicle from which the liquor was allegedly seized together with the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no. 923 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Aurangabad.

(Partha Sarthy, J)

Harsh/-

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