

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82951 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Rahul Paswan, S/o Dhodhai Paswan @ Dody Paswan, R/o village -
Bhasigpur, Bochaha, P.S. - Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mohiuddin Nagar P.S. Case No. 184 of 2024 instituted
under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 50
litres of country made Chulai liquor from two *gunny* bags
keeping on the motorcycle near the Raspurpatasia Bandh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case
on the disclosure made by the chowkidar. The FIR was lodged
against the unknown. Petitioner is neither owner of the seized
motorcycle nor he has concern with the seized liquor. There is
no recovery made from conscious possession of the



petitioner. Petitioner has one criminal antecedent in which he is on bail and he undertakes to cooperate in the investigation of the present case.

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/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge (Excise), Court No. 02, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 184 of 2024, subject to the conditions laid down in Section 482 (2) of the BNSS.

(Sunil Dutta Mishra, J)

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