

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83997 of 2024

Arising Out of PS. Case No.-1005 Year-2024 Thana- Excise P.S. District- Aurangabad

Babu Paswan @ Mithilesh Kumar son of Kamta Paswan @ Kamta Paswana
Resident of Bus Stand Gandhi Maidan, P.S- Town, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-12-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Excise P.S. Case no.1005 of 2024 registered for the offence punishable under sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, a raid was conducted by the river side. It is stated that accused Ravi Kumar was caught and 7.4 litres of country liquor was recovered. It is further stated that the person who was caught disclosed that the petitioner was his associate.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedent. From the contents of the FIR itself, it would be



evident that neither the petitioner has been arrested at the spot nor any incriminating article recovered from his possession.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, his not having been arrested at the spot and no incriminating article having been recovered from his possession, 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.1005 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)

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