

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86935 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- Sri Nagar District- Purnia

Rupesh Paswan @ Rupesh Kumar Son of Bishundev Paswan Resident of
Village-Bela Champawati, Police Stateion- Champa Nagar, District-Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sumit Kumar, Advocate
	Mr. Rakesh Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sri Nagar P.S. Case No. 82 of 2024 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case in short is that total 206.250
litres of foreign liquor was recovered from Cowshed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
No incriminating material has been recovered from the
conscious possession of the petitioner. The petitioner has got no
knowledge and concern with the alleged recovery of liquor. It is



submitted that recovery is made from an open place, which is accessible to one and all. The petitioner has got four criminal antecedents. There is no compliance of section 103 of the BNSS, 2023. Other co-accused has been granted anticipatory bail by this Court *vide* order dated 04-12-2024, passed in Cr. Misc. No. 82527 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sri Nagar P.S. Case No. 82 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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