

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1504 of 2024

Arising Out of PS. Case No.-545 Year-2023 Thana- SAHPUR District- Bhojpur

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1. Anju Paswan @ Akhilesh Paswan Son of Late Ramdas Paswan Resident of Village- Ranisagar, P.S.- Ranisagar, District- Bhojpur at Ara
 2. Gandhi Paswan Son of Sudama Paswan Resident of Village- Ranisagar, P.S.- Ranisagar, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 31-01-2024 Heard Mr. Abhay Kumar Pandey, learned counsel appearing on behalf of the petitioners and Mr. Manoj Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Sahpur P.S. Case No. 545 of 2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 100 litres of country made liquor from the bank of the river.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have been falsely implicated in the case. They have no concern either with the seized liquor or trade of liquor in any manner. The place of recovery is an open place which is accessible to



anyone. Nothing has been recovered from conscious possession of the petitioners.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners and the fact that the place of recovery is an open place which is accessible to anyone, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court No.II, Bhojpur, Ara in connection with Shahpur P.S. Case No. 545 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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