

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7286 of 2025

Arising Out of PS. Case No.-229 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Birchandra Paswan Son of Dukhan Paswan Resident of Village- Bochaha
Baha, P.S.- Mohiuddin Nagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Mohiuddin Nagar P.S Case No. 229 of 2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per the prosecution case, total 24.500 litres of illicit liquor was recovered from the courtyard of the co-accused Dhukhan Paswan.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Similarly situated co-accused person namely *Dhukan Paswan* has already been granted bail by the Coordinate Bench of this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 73480 of 2023. It is further submitted that the petitioner fled



from the place of occurrence. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 court concerned, Samastipur, in connection with Mohiuddin Nagar P.S Case No. 229 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.).

7. Accordingly, the present application stands allowed.

(Sourendra Pandey, J)

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