

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16109 of 2025

Arising Out of PS. Case No.-213 Year-2020 Thana- SARAIYA District- Muzaffarpur

Jagga Paswan S/o- Late Brijnandan Paswan Resident of village- Rohana P.S.-
Vaishali District-Vaishali, P/A- Kuldeep Chhapara PS- Saraiya Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-03-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Saraiya PS case no. 213 of 2020, disclosing
offences punishable under Sections 272, 273/34 of the Indian
Penal Code and Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act.
3. The prosecution story, in nutshell, is that police
recovered 643.5 liters of illicit foreign liquor from the hut of the
petitioner.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and has not
committed any offence in the manner alleged. He further



submits that petitioner was not arrested from the spot and nothing has been recovered from the conscious possession of the petitioner. Petitioner is having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit foreign liquor has been recovered from the hut of the petitioner. Accordingly, a *prima facie* case is made out against the petitioner under Section 30(a) of the Act, as such, in view of the Full Bench judgment of this Court, in ***Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)***, I am not inclined to exercise my discretion for grant of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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