

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17761 of 2025

Arising Out of PS. Case No.-242 Year-2020 Thana- KANKARBAG District- Patna

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Ashok Paswan @ Ashok Kumar S/o- Late Chhotu Paswan @ Late Binod
Paswan Moh- Doctors Colony Jhuggi Jhoparpatti Ps- Kankarbagh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Kankarbagh P.S. Case No. 242 of 2020 registered for the alleged offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner and other co-accused persons keeping illicit liquor in pond like place near some hutment. A raid was conducted and recovery of 205.400 liters of country made liquor was made from the said place.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the seized liquor which has



been recovered from an open place and it is easily accessible to all. Nothing incriminating has been recovered from this petitioner, who is having clean antecedent and no independent witness has come forward to show the complicity of the petitioner in the said occurrence. The petitioner is a labourer and there is no tangible material against the petitioner to connect him with the offence as alleged.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner who is having clean antecedent and also considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Patna in connection with Kankarbagh P.S. Case No. 242 of 2020, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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