

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89473 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- Rasalpur District- Bhagalpur

Kishore Paswan S/O Late Kuldip Paswan R/O Vill.- Ekchari, P.S.- Rashalpur,
Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Rasalpur P.S. Case No. 84 of 2024 dated 31.08.2024 instituted for the offence punishable under Sections 30(a), 37 of Bihar Prohibition and Excise Amendment Act, 2018.

3. The allegation is of recovery of 26 litres country made liquor from a bicycle and one co-accused was apprehended on the spot who disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner has not been arrested on the spot. Nothing has been recovered from the conscious possession of the petitioner. Only on the basis



of the confessional statement of the apprehended person, the petitioner has been made accused in this case. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Rasalpur P.S. Case No. 84 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-XII cum Special Excise Judge-2, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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