

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88539 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- BANJARIA District- East Champaran

Sanjay Paswan Son of Late Ramji Paswan @ Late Ram Jee Paswan Resident
of Village - Daroga Tola, P.S.- Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Banjariya P.S. Case No. 244 of 2024 instituted for the offence under Sections 274 and 275 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 42.1 liters of foreign liquor was recovered from the house of this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner rather the recovery of illicit liquor has been made from the joint house. Petitioner has no concern with the alleged liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Banjariya P.S. Case No. 244 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, Motihari East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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