

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89707 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- RUPO District- Nawada

Arjun Paswan Son of Late Vaso Paswan Resident of Village- Rupow Post
Office- Rupow, P.S.- Rupo, District- Nawada, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prakash Kumar
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 227-01-2025
1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Rupo Police Station Case No. 125 of 2024, dated 17.11.2024, disclosing offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner is selling illicit liquor in his house, raided the house of the petitioner and on seeing the police, one person fled away after locking the house. The name of the petitioner was disclosed by the local Chowkidar. On search, the police recovered 05 litres of illicit country-made liquor kept near the toilet of the house.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the local chowkidar. He further submits that the petitioner has got no concern with the illicit liquor recovered kept near the toilet, which is situated in the back side of the house and is an open space. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, he has been made accused in the present case on the basis of disclosure of his name by the local chowkidar and the illicit liquor has been recovered from near the toilet, which is situated in the back side of the house and is an open space, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each



to the satisfaction of learned Exclusive Special Excise Court No. II, Nawada, in connection with Rupo Police Station Case No. 125 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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