

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.485 of 2025

Arising Out of PS. Case No.-40 Year-2022 Thana- PARASI District- Jehanabad

Bhola Paswan Son of Baban Paswan R/o - Hathi Tola, Hasanpur, P.S - Arwal,
District - Arwal Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Parasi PS case no. 40 of 2022, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. The prosecution story, as per the First Information report, is that on 02.05.2022, police got information that petitioner was selling illicit liquor from a hut situated in his agricultural field on the bank of Sone river, proceeded towards the place of occurrence. Upon seeing the police party, one person fled away. Upon search, police recovered 10 liters of illicit liquor from the hut. Upon inquiry, the police got the name of the petitioner, who succeeded in fleeing away.



4. Learned Counsel for the petitioner submits that the hut was situated in an agricultural field near the Diara area of Sone river, which was a lonely place, accessible to all. He further submits that the name of the petitioner transpired on the basis of secret information and the source of his identification has not been mentioned in the F.I.R. Petitioner is stated to be having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, hut was situated near the bank of Sone river which is a lonely place, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Special Excise Court No. II, Jehanabad in connection with Parasi PS case no. 40 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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