

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38680 of 2023

Arising Out of PS. Case No.-420 Year-2022 Thana- DIGHWARA District- Saran

Arjun Paswan Son Of Late Ganesh Paswan Village Shitalpur, Police Station
Dighwara, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Dighwara P.S. Case no. 420 of 2022, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, it is stated by the informant that on a secret information having been received about the manufacture of country liquor by the five named accused persons including the petitioner herein, a raid was conducted. The accused persons managed to escape and liquor as described in the F.I.R. was recovered. It is further stated that on inquiry the *chaukidar* disclosed the name of the accused persons who had escaped which included the petitioner herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. He has been falsely implicated in the case at the instance of the *chaukidar*. He has no concern with the seized article nor the place from where it was seized. He has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the petitioner not having been arrested at the spot, no incriminating article having been recovered from his possession, his not having any concern with the place from where the articles were seized and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dighwara P.S. Case no. 420 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise Act at Chapra, Saran, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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