

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11326 of 2020

Arising Out of PS. Case No.-373 Year-2019 Thana- CHANPATIA District- West Champaran

DILIP PASWAN S/o Parsuram Paswan Resident of Semra Parsa, P.S.-
Chanpatiya (Sirisiya O.P.), Distirct- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr. A. L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application for grant of anticipatory bail arises
out of Chanpatiya (Sirisiya O.P.) Police Station Case No. 373 of
2019, disclosing offence under Section 414 of the Indian Penal
Code and Sections 30 (a)/30 (b) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner was found standing
along with a motorcycle and upon seeing the police, the
petitioner fled away leaving the motorcycle and 18 litres of
illicit liquor was recovered from the said motorcycle.



Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and nothing has been recovered from the conscious possession or the vehicle belonging to the petitioner. He, referring to paragraph 10 of this application, submits that the petitioner has no concern with the motorcycle in question and he is not the owner of the said motorcycle.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is not the owner of the vehicle in question, the illicit liquor has not been recovered from the conscious possession of the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, at Bettiah, in connection with Chanpatiya (Sirisiya O.P.) Police Station Case No. 373 of 2019, subject to



the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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