

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39447 of 2022

Arising Out of PS. Case No.-460 Year-2021 Thana- BARH District- Patna

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Dharmendra Paswan, Son Of Late Sakal Paswan Resident Of Village -
Fatehchand, P.S.- Barh, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 10 litres of liquor from the gallon thrown near the
house of the petitioner.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that the alleged place of recovery also does not belong to the
petitioner as the recovery was from a place near the house of the



petitioner and he came to be implicated by the local people. The learned counsel submits that it appears that in order to save the real culprit, a person with clean antecedent came to be implicated.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barh P. S. Case No.460 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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