

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57472 of 2021

Arising Out of PS. Case No.-54 Year-2021 Thana- MALSALAMI District- Patna

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BILTU PASWAN S/O CHOTI PASWAN R/o village- Shivi Patti, P.S.-
Rajnagar, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable under section 30(a) of the Bihar Excise Act, 2018.

Altogether 5.250 liters of foreign liquor is said to have been recovered from the godown of the courier company. It is alleged that the said courier was in the name of the petitioner.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to



enmity. No any incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. The same does not belongs to the petitioner. Some unknown enemy has tried to implicate the petitioner by sending the illicit liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in the Juvenile Justice Fund, Bihar bearing Account No.35094613009, IFSC SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Malsalami P.S. Case No.54 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions:

- (1) One of the bailors will be a close relative of the



petitioner, who will give an affidavit giving genealogy as to how he is related with petitioner. He will also undertake to inform the Court if there is any change in the address of petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000/- (Rupees Ten Thousand) in the Juvenile Justice Fund.

(Anjani Kumar Sharan, J)

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