

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66702 of 2022

Arising Out of PS. Case No.-395 Year-2021 Thana- MAHUA District- Vaishali

BHIM PASWAN S/O Shree Dukhan Paswan @ Dukhan Paswan R/O Village-
Paharpur, P.S- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and

learned A.P.P. for the State through virtual Court

proceedings.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272,
273, 420, 467, 468 and 414 of the Indian Penal Code and
Sections 30(a), 32(ii), 38(ii) and 41(i) of the Bihar Excise
Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 138.240 liters of liquor from a Scorpio vehicle,
243 liters of liquor from a Tata magic and 18 liters of liquor
from a motorcycle.



Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that his name transpired in the confessional statement of apprehended accused persons named in the FIR in police custody which does not have any evidentiary value, it is also submitted petitioner is not the owner of any of the alleged seized vehicles.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 395 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial Court before accepting



the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than one criminal antecedent then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

GauravSinha/-

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