

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67076 of 2022

Arising Out of PS. Case No.-390 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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JITENDRA PASWAN S/O LATE RAMAYAJ PAWAN Resident of village-
Ahwar Shekh, P.S.- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of three cases and allegation is of recovery of 3 litres liquor from the possession of Umravati Devi and 500 ml liquor from the possession of Halim Miya.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and his name transpired in the confessional statement of Umravati Devi and Halim Miyain in police custody which does not have any



evidentiary value, it is also submitted that the petitioner came to be implicated by the police because of his antecedents through Umravati Devi and Halim Miya.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen 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 Excise (Bettiah) P.S. Case No. 390 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and in the event, if it is found that petitioner has criminal antecedent of more than three cases, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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