

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70538 of 2022**

Arising Out of PS. Case No.-277 Year-2022 Thana- BARUN District- Aurangabad

SAROJ KUMAR S/O DHUPAN PASWAN Resident of village- Pritampur,
P.S.- Barun, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 19-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 is a person with clean antecedent and allegation is of recovery of 6.750 liters of liquor from a truck.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone when admittedly petitioner is a person with clean antecedent. It is also submitted that petitioner is neither the owner nor the driver of the alleged



seized vehicle.

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. 1,000/- (Rupees One 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 Barun P.S. Case No. 277 of 2022 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 shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even a single case then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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