

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23351 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

SHUSHI PASWAN @ SHUSHIL PASWAN @ SUSHIL KUMAR S/O
GAURU PASWAN @ GORU PASWAN @ GOVIND PASWAN Resident of
Village- Karma, P.S.- Chenari, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 414 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 60 liters of liquor from two motorcycles.

Learned counsel for the petitioner submits that the 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 co-



accused, it is also submitted petitioner is a young boy aged about 19 years and is a student. It is further submitted that the alleged seized motorcycles does not belong to the petitioner.

Learned A.P.P. for the State opposes the anticipatory bail application and submits that though it has been submitted that the motorcycles do not belong to the petitioner but then it has not been pleaded in 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 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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhagwanpur (Belaon) P.S. Case No. 202 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bond of the petitioner shall verify the ownership of the seized motorcycle and in the event, if it is found that the



petitioner is owner of any of the motorcycles seized, then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Adnan/-

U		T	
---	--	---	--

