

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41048 of 2023

Arising Out of PS. Case No.-319 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Prince Kumar Paswan @ Prince Kumar, S/O Lalit Paswan R/O Ward No. 14,
Karor, P.S- Cheria- Bariarpur, Distt.- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 40 litres of liquor from a scooty.

The 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 no prudent person would use his own vehicle for
committing a crime and thus, would create evidence against



himself and hence, would get implicated.

Learned A.P.P. opposes the 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Begusarai in connection with Cheria-Bariarpur P. S. Case No.319 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, 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 any criminal antecedent, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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