

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16294 of 2024

Arising Out of PS. Case No.-366 Year-2021 Thana- VAISHALI District- Vaishali

Rakesh Paswan Son of Banai Paswan @ Ganai Paswan @ Vanai Pasawan @
Vinay Paswan Resident of Village- Subhai, Suhai Police Station- Vaishali,
District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 3723.81 liters of liquor from different vehicles as detained in the F.I.R.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the



owner of any of the the seized vehicle and he came to be implicated based on secret information which is the easiest way to implicate someone, when petitioner admittedly is a person with clean antecedent. It is further submitted that it appears that the police in order to save the real culprit, falsely implicated the petitioner.

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

6. 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.500/- (Rupees Five Hundred) 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 Vaishali (Belsar O.P.) P.S. Case No. 366 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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