

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22289 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- TELHARA District- Nalanda

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ARUN PASWAN SON OF RAM LAKHAN PASWAN @ LAKHAN
PASWAN R/O-KUKURBAR (SADIKPUR), P.S.-TELHARA, DISTT.-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2024 1. 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of seven cases.

4. Allegation is of recovery of 17.200 litres of liquor
from a motorcycle.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and petitioner came to be implicated
based on the confessional statement of Bikki Kumar in police



custody which does not have any evidentiary value in the eye of law. It is further submitted that once a person is implicated in a case of excise, the police starts implicating in a mechanical manner. It is next submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner through Bikki Kumar taking advantage of the antecedent of the petitioner.

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

7. 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.35,000/- (Rupees Thirty-five 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 Telhara P.S. Case No. 151 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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