

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29562 of 2024**

Arising Out of PS. Case No.-94 Year-2023 Thana- MADHWAPUR District- Madhubani

Sikandar Paswan @ Sakindar Paswan @ Surendra Paswan SON OF LATE
DANI PASWAN RESIDENT OF VILLAGE- AURA, PS- MADHWAPUR,
DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar Mahto, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP.

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

2 22-04-2024 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 offences punishable under Sections 272,
273 & 34 of the I.P.C. and u/s 30(a) of the Bihar Prohibition
and Excise Act.

3. Learned counsel for the petitioner submits that
the petitioner has one antecedent and allegation is of
recovery of 45 liters of illicit liquor from sack.

4. Learned counsel for the petitioner submits that
the petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession. It is further
submitted that in majority of the cases, police are



implicating the innocent people either at the instance of Chowkidar or at the instance of local people. It is also submitted that if the Chowkidar was aware about the involvement of the petitioner, why he did not inform the police prior to institution of the instant FIR, which casts and aspersion on the case of the prosecution.

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. 5,000/- (Rupees Five Thousand) 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 Madhwapur P.S. Case No. 94 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if



it is found that the petitioner has antecedent of even one case/ has antecedent of more than one case, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

annpurna/-

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

