

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32158 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- RATANPUR District- Supaul

PRAMOD PASWAN SON OF RAMDEV PASWAN RESIDENT OF
VILLAGE - NARPATPATTI, WARD NO.06, P.S. - RATANPURA,
DISTRICT - SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024 Heard Mr. Mahendra Thakur, learned Counsel for
the petitioner and Mr. Ashok Kumar Singh, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Ratanpura P.S. Case No. 68 of 2023 for the offence
registered under section 30(a) of the Bihar Prohibition & Excise
Act lodged on 30.10.2023 by the informant, Krishna Kumar
Singh.

3. As per the prosecution story, the informant upon
confidential information, raided the boat and recovered/seized
180 litres Nepali liquor. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that he
has been implicated only because he has criminal antecedent
and is elder brother of the person arrested, Manoj Paswan. The



further submissions is that he will be diligently appearing in trial.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Supaul/Supaul Bar Association through Demand Drafts issued by the local State Bank of India.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he has criminal antecedent.

7. Taking into account the fact that upon recovery/seizure of the liquor, one Manoj Paswan was apprehended, nothing has been recovered from conscious possession of the petitioner, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 10,000/- for which:-

(i) Rs. 5,000/- will go to D.L.S.A., Supaul and shall be used exclusively for the purchase of the journals;

(ii) Rs. 5,000/- will go to the Supaul Bar Association which again will be used exclusively for the purchase of the journals;

(iii) the receipt of both the D.L.S.A., Supaul and the



Bar Association, Supaul shall be submitted to the concerned Court.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No.-II, Supaul in connection with Ratanpura P.S. Case No. 68 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Neha/-

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

