

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37040 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- PUNPUN District- Patna

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1. Ravi Paswan@ Shaka SON OF SANJAY PASWAN @ RADHEY PASWAN VILLAGE- SRIPALPUR, PS- PUNPUN, DIST- PATNA
 2. Santosh Goswami @Duldul SON OF VIJAY GOSWAMI VILLAGE- JAHIDPUR, PS- PUNPUN, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 22.125 litres of liquor from a field.
4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which is accessible to public at large



and does not belong to the petitioners and they came to be implicated at the instance of Chowkidar with whom they are on an inimical term. It is also submitted that if Chowkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to institution of the instant FIR which further casts 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 petitioners, the petitioners above-named, in the event of their 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) each 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 Punpun P.S. Case No. 90 of 2024, 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is



found that the petitioners have antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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