

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36326 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- TILAUTHU District- Rohtas

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1. Ajay Chaudhary Son of Late Barati Chaudhary Resident of Village - Uttarpatti, P.S.- Tilauthu, District - Rohtas.
 2. Rakesh Paswan @ Rakesh Kumar Son of Late Govind Paswan Resident of Village - Uttarpatti, P.S.- Tilauthu, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-06-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to Petitioner No. 1 (Ajay Chaudhary).
3. Permission is accorded.
4. The Petitioner No. 2 (Rakesh Paswan @ Rakesh Kumar) apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
5. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of



recovery of 25 litres of liquor from a place near budha budhi ghat of sone river.

6. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner and he came to be implicated based on secret information which is the easiest way to implicate someone, when petitioner admittedly is person with clean antecedent.

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

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner No. 2 Rakesh Paswan @ Rakesh Kumar, 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tilauthu P.S. Case No. 91 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



9. It is made clear that the learned trial court before accepting the bail bonds of the petitioner No. 2 (Rakesh Paswan @ Rakesh Kumar) shall verify the criminal antecedents of the petitioner No. 2 and in the event if it is found that the petitioner No. 2 has 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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