

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37321 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- BADHAILA District- Rohtas

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1. Ramayan Paswan @ Snoj Paswan @ Sanoj Kumar S/o Siyaram Paswan @ Baghawat Paswan RESIDENT OF VILLAGE SRINAGAR SUARA TOLA PS BAGHAILA DISTRICT ROHATAS AT SASARAM
 2. Antu Kumar S/o Dudhi Chaudhary @ Dudheshwar Chaudhary RESIDENT OF VILLAGE SRINAGAR SUARA TOLA PS BAGHAILA DISTRICT ROHATAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2024 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 petitioner No. 1 has antecedent of one case and petitioner No. 2 is a person with clean antecedent and allegation is of recovery of 8 litres of liquor from a place near Kaw river.

 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. It is next submitted that they came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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. 5,000/- (Rupees Five Thousand) 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 Baghaila P.S. Case No. 127 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioner No. 1 has antecedent of more than one case and 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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