

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40077 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Ram Pravesh Paswan, Son of Raj Ballav Paswan @ Raj Ballam Paswan R/O
Village - Madarpur, Ward No.- 3, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act and Sections 272 and 273 of the
I.P.C.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of five cases and the allegation is
of recovery of 15 litres of liquor from an orchard of Kamlesh
Tiwary.

4. The learned counsel for the petitioner submits that
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 does not belong to the petitioner



and is accessible to public at large and he came to be implicated based on secret information, which is the easiest way to implicate someone. It is next submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner.

5. Learned A.P.P. Sri Rabindra Kumar opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.217 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is



found that petitioner has antecedent of more than five cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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