

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45197 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- SARAI District- Vaishali

Bhola Paswan Son Of Late Kishun Paswan Resident Of Vill- Paura Madan,
P.S.- Sarai, Distrcet- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-07-2024 **1.** Heard learned counsel for the petitioner and learned A.P.P. for the State.
- 2.** The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act and Sections 272, 273 and 34 of the Indian Penal Code.
- 3.** Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 20 litres of liquor from a motorcycle.
- 4.** 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 is not the owner of the seized motorcycle. It is next submitted that he came to be implicated based on confessional statement of Niraj in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.



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 petitioner, the petitioner above-named, 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 Sarai P.S. Case No. 85 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

SUMIT/-

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

