

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48679 of 2024**

Arising Out of PS. Case No.-63 Year-2024 Thana- BUNIYAD GANJ District- Gaya

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GAYA PASWAN @ PRADIP PRASAD @ PRADIP PASWAN S/O LATE  
BINDESHWAR PASWAN @ LATE BINESHWAR PASWAN R/O  
VILLAGE- PANDA BIGHA, P.S- BUNIYADGANJ, DIST.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      23-07-2024                      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 Sections 30(d) and  
41 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 1500 liters of fermented *Mahua* from Aahar situated  
towards south of village Sandhi.
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 even the 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  
at the instance of *Chowkidar*. It is also submitted that it



absolutely does not stand to reason how the *Chowkidar* identified the petitioner when the petitioner is not known to him.

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 Buniyadganj P.S. Case No. 63 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 even one case in that event, the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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