

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49686 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- PIPRAKOTHI District- East Champaran

VIKESH PASWAN @ BIKESH PASWAN S/O NARESH PASWAN R/O
VILLAGE- BALTHARWA, P.S- PIPRAKOTHI, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 188, 341, 323, 325, 307, 427, 353, 337 of the IPC and
Section 45 of the Bihar Prohibition and Excise Act in
connection with Pipra Kothi P.S. Case No.103 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of five cases and allegation is of
recovery of 24.480 liters of liquor from the hut of Bhrigun
Prasad.

4. It is next submitted Bhrigun Prasad was
apprehended and while he was being taken to the police custody,
it is alleged that miscreants came and started pelting stone and



assaulting the police force, thereafter, two other accused namely Ramesh and Sageer were also arrested from the spot and the name of the petitioner surfaced in the confessional statement of Bhrigun Prasad in police custody which does not have any evidentiary value.

5. It is also submitted that it is not the case that liquor was found from possession of the petitioner or petitioner was found drunken. It is next submitted that since petitioner resides adjacent to the house of Bhrigun Prasad, as such he was also implicated in a mechanical manner.

6. The learned APP for the State opposes the anticipatory bail application.

7. 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 Thosand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.I, East Champaran at Motihari in connection with Pipra Kothi P.S. Case No.103 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



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 order shall not be given effect.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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