

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52571 of 2024**

Arising Out of PS. Case No.-2 Year-2024 Thana- Tilakeshwar OP District- Darbhanga

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Raushan Paswan @ Raushan Kumar Paswan SON OF MAHESH PASWAN
RESIDENT OF VILLAGE- GHORDAUR POLICE STATION-
TILKESHWAR DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 26-07-2024 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
Section 30(a) of the Bihar Prohibition and Excise Act in
connection with Tilakeshwar P.S. Case No.02 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 45 liters of liquor from a maize field.

4. It is next submitted that the 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 the public at large and he came to be implicated at the instance of Chowkidar with who he is on an inimical term.

5. The learned APP for the State 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Tilkeshwar P.S. Case No.02 of 2024, subject to the conditions 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 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.



8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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