

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57789 of 2024

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

1. Ramesh Paswan Son Of Late Jaykaran Paswan Resident Of Village - Baltharwa, P.S. - Piprakothi, District - East Champaran
2. Mahesh Paswan Son Of Late Jaykaran Paswan Resident Of Village - Baltharwa, P.S. - Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 45 of the Bihar Excise Act and Sections 188, 341, 323, 325, 307, 427, 353 and 337 of the IPC.

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 24.480 litres of liquor from hut of Bhrigun Prasad.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing



was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners. It is next submitted that they came to be implicated based on confessional statement of Bhirgun in police custody which does not have any evidentiary value, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Pipra Kothi P.S. Case No. 103 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioners have 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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