

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56943 of 2024

Arising Out of PS. Case No.-23 Year-2022 Thana- DEV District- Aurangabad

Satyendra Pasvan @ Sakindra Paswan Son of Sitaram Pasvan R/V- Village-
Pachukhar, P.S.- Dev, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2024 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 offence punishable under Sections 30(a) and 33 of Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 50 litres of liquor from a place near a river. It is next
submitted that 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 public at large and he came to be
implicated at the instance of local farmer. It is also submitted that
police in majority of the cases implicates either at the instance of
chowkidar, local person, secret information or confessional statement



without holding proper investigation in a mechanical manner but the in the present case the petitioner came to be implicated at the instance of local farmer, as such, it appears that police now has device a new mode of implicating innocent persons.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 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 Dev P.S. Case No.23/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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 petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

7. Today, 40 cases relating to excise were taken up. In 40 cases, there were 45 petitioners, out of which, 29 petitioners were persons with clean antecedent. Further, in 16 cases, the recovery is less than 30 litres of liquor. Further, in view cases, the recovery was



in between 1 litre to 10 litres, as such, the total amount of liquor alleged to have been seized is 9451.245 litres, 100 litres of Jawa Mahua, 312 litres of codeine, 95 litres of spirit along with 450 grams of ganja, as such, the total recovery is 9958.245 litres of liquor/spirit/Jawa mahua/codeine and 450 grams of ganja.

(Satyavrat Verma, J)

amit/-

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

