

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57987 of 2024**

Arising Out of PS. Case No.-52 Year-2024 Thana- BUDDHACOLONY District- Patna

Dilip Paswan S/O Jagdish Paswan Resident of Mohalla- China Kothi, Harijan Colony, P.S.- Budha Colony, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar Singh  
For the Opposite Party/s : Ms. Meena Singh

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

2      13-08-2024                      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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 22 liters of liquor from a Scooty.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized Scooty. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is also



submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged, when petitioner admittedly is a person with clean antecedent.

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. 10,000/- (Rupees Ten Thousand) 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 Budha Colony P.S. Case No. 52 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 more than two cases in that event, the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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