

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62419 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- DUMRA District- Sitamarhi

Rajesh Paswan S/o- Ram Ganesh Paswan Resident of village-Harichhapara
Ps- Dumara District- Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-09-2024 1. Heard learned counsel for the petitioner and 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 Amendment
Act, 2022.
3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation
is of recovery of 812.52 liters of liquor from a Tata Magic
vehicle.
4. It is next submitted 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 vehicle. It is next
submitted that no prudent person would his own vehicle



for committing occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged.

- 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 Excise Court-1, Sitamarhi in connection with Dumra P.S. Case No. 308 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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