

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63452 of 2024

Arising Out of PS. Case No.-435 Year-2022 Thana- NARPATGANJ District- Araria

Bhagwan Paswan @ Dharmendra Paswan, son of Bindi Paswan Village-
Koshkapur, Ps- Birpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-09-2024 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

Sections 272 and 273 of the I.P.C. and Section 30(a) of the

Excise Act.
3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and the

allegation is of recovery of 108 litres of liquor from a bicycle.
4. The learned counsel for the petitioner submits

that petitioner was not arrested from the spot, as such,

nothing was recovered from his conscious possession and is



not the owner of the seized bicycle and he came to be implicated at the instance of local people. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret informant and confessional statement in a mechanical manner without holding proper investigation, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. 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 Excise 1st, Araria in connection with Narpatganj (Basmatiya) P. S. Case No.435 of 2022, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

7. The application stands allowed.

8. 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 to.

(Satyavrat Verma, J)

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