

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69293 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- BADHAILA District- Rohtas

Raju Paswan, Son of Shiyaram Paswan R/O Village- Srinagar Suara Tola,
P.S.- Baghaila, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-09-2024 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 Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of eleven cases and the allegation is of recovery of 1047.765 litres of liquor from a field.
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 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 based on secret information, which is the easiest way to



implicate someone. It is also submitted that police at times take aid of secret information to save the real culprit by implicating innocent persons. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

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. 55,000/- (Rupees Fifty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Rohtas at Sasaram in connection with Baghaila P. S. Case No.149 of 2024, 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 more than eleven cases,



in that event, the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

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