

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73338 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- MAJORGANJ District- Sitamarhi

1. Ram Balak Paswan S/o- Shivji Paswan Village - Kuari Madan, P.S. - Majorganj, Dist. - Sitamarhi.
2. Ranjan Paswan @ Rajan Paswan Son of Harichan Paswan Village - Kuari Madan, P.S. - Majorganj, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 07-10-2024

1. Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are person with clean antecedent and allegation is of recovery of 225 liters of liquor from a sack.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioner nor they have any connection with the sack in question and they came to be implicated based on the confessional statement of



Umesh in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 500/- (Rupees Five Hundred) each 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 Majorganj P.S. Case No. 243 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial Court before accepting the bail bonds of the petitioners shall verify their criminal antecedent and in the event if it is found that any of the petitioners have 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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